Office-Supreme Court, U.S.
FILED
JUN 5 1981
ALEXANDER STEVAS,
CLERK

No. 80-1121

# In the Supreme Court of the United States

OCTOBER TERM, 1980

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UNITED STATES OF AMERICA, PETITIONER

*v.*

JOSEPH J. CLARK, ET AL.

---

*ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF CLAIMS*

## JOINT APPENDIX

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**PETITION FOR WRIT OF CERTIORARI FILED JANUARY 5, 1981**

**CERTIORARI GRANTED MARCH 23, 1981**

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## RELEVANT DOCKET ENTRIES

| | |
|---|---|
| Jan 29 1976 | Filing fee of $15 paid by plaintiffs. |
| Feb 24 1976 | Notice of reference to Trial Judge Louis Spector filed. Copy to parties. |
| Jul 14 1976 | Defendant's answer and affirmative defense filed. Copies (5) to atty. |
| Dec 23 1976 | Defendant's answer and affirmative defense filed. Copies (5) to atty. |
| May 23 1978 | Plaintiffs' motion for summary judgment filed. Copies (5) to deft. |
| May 23 1978 | Plaintiffs' motion for order granting leave to file administrative records, and waiver of production filed. Copies (2) to deft. ALLOWED JUN 8 1978. |
| Sep 6 1978 | Defendant's cross-motion for summary judgment and defendant's response to plaintiffs' motion for summary judgment together with administrative record in one volume filed. Copies (5) to atty. |
| Sep 6 1978 | Defendant's motion to waive reproduction of the administrative record filed. Copies (2) to atty. ALLOWED SEP 22 1978. |
| Oct 6 1978 | Defendant's motion for leave to amend its answer and affirmative defenses filed. Copies (2) to atty. ALLOWED: NOV 2 1978. |
| Oct 11 1978 | Plaintiffs' opposition to defendant's cross-motion for summary judgment filed. Copies (5) to deft. |
| Oct 26 1978 | Defendant's motion for extention of time (to Nov. 15, 1978) to respond to pltf's response to cross-motion for summary judgment filed. Copies (2) to atty. ALLOWED OCT 27 1978. |
| Nov 2 1978 | Defendant's counterclaim filed. Copies (5) to atty. |
| Nov 13 1978 | Plaintiff's answer to defendant's counterclaim filed. Copies (5) to deft. |

| | |
|---|---|
| Nov 15 1978 | Defendant's reply to plaintiffs' response to defendant's cross-motion for summary judgment filed. Copies (5) to atty. |
| Mar 6 1979 | Argued and submitted on plaintiffs' motion for summary judgment and defendant's cross-motion for summary judgment [before, Kunzig, Bennett and Smith]. |
| Apr 10 1979 | Defendant's motion to dismiss counterclaim filed. Copies (2) to atty. ALLOWED MAY 16 1979. |
| May 16 1979 | Plaintiffs' motion for summary judgment is granted, defendant's motion for summary judgment is denied, and the case is remanded to the Trial Division for further proceedings in accordance with Rule 131(c)(2). Opinion by Judge Kunzig. Copies to parties. |
| May 30 1979 | Defendant's motion for extension of time (to June 19, 1979) to file motion for rehearing filed. Copies (2) to atty. ALLOWED JUN 4 1979. |
| Jun 5 1979 | Plaintiffs' motion for call upon the General Accounting Office file Copies (2) to def. DENIED July 13, 1979, without prejudice pending disposition of the defendant's motion for rehearing. |
| Jun 5 1979 | Plaintiffs' motion for call upon the Office of Personnel Management filed. Copies (2) to deft. DENIED without prejudice (July 13, 1979) pending disposition of defendant's motion for rehearing. |
| Jun 15 1979 | Defendant's objections to plaintiffs' motions for call filed. Copies (2) to atty. |
| Jun 19 1979 | Defendant's motion for rehearing en banc filed. Copies (2) to atty |
| Jul 5 1979 | Plaintiffs' response to defendant's motion for rehearing en banc filed. Copies (2) to deft. |
| Sep 28 1979 | Court filed order denying defendant's motion for rehearing. Copy to parties. |

| | |
|---|---|
| Oct 2 1979 | Plaintiff's motion for call upon the Office of Personnel Management filed. Copies (2) to deft. ALLOWED NOV 7 1979, and Call issued this day. |
| Oct 2 1979 | Plaintiffs' motion for call upon the General Accounting Office filed. Copies (2) to deft. ALLOWED NOV 7 1979, and Call issued this day. |
| Oct 12 1979 | Defendant's motion for extension of time (to Nov. 1, 1979) to respond to plaintiff's motions for call filed. Copies (2) to atty. ALLOWED OCT 15 1979. |
| Apr 2 1980 | Plaintiffs' request for hearing to set time for compliance with plaintiffs' motion for call filed. Copies (2) to deft DISMISSED APR 15 1980 as moot, see memorandum of pretrial conference this |
| Apr 15 1980 | Trial Judge's memorandum of pretrial conference filed. Copy to parties, GAO & OPM. [Reply by GAO 30 days]. |
| Apr 23 1980 | Plaintiffs' motion for substitution of Annette Kurtzman Proto, surviving spouse of Nicholas Proto, as a proper party plaintiff filed. Copies (2) to deft. ALLOWED MAY 9 1980. |
| May 13 1980 | Reply of the General Accounting Office filed. Copy to parties and to OPM. |
| May 29 1980 | Reply of the General Accounting Office [as to Nicholas J. LiBretto] filed. Copy to parties. |
| Jun 13 1980 | Reply of the Office of Personnel Management filed. Copy to parties. |
| Jun 16 1980 | Plaintiff's motion for substitution under Rule 66 [substitution of Margaret Devine Clark surviving widow of Joseph Clark, as a proper party plaintiff] filed. Copies (2) to deft. ALLOWED July 2, 1980. |
| Aug 1 1980 | Stipulation for entry of judgment filed by defendant. Copies (2) to atty. |

| | |
|---|---|
| Aug 5 1980 | Trial Judge's memorandum report for judgment filed. Copy to parties |
| Aug 8 1980 | Court filed order entering judgments for plaintiffs in the amounts listed in the order. Copy to parties. |
| Aug 8 1980 | Certified copy of transcript of judgment mailed to attorney of record. |
| Jan 9 1981 | Notice of filing in the Supreme Court of the United States of a petition for writ of certiorari on January 5, 1981, No. 80–1121, October Term, 1980 filed. |
| Mar 26 1981 | Order of the Supreme Court of the United States, dated March 23, 1980 granting petition for writ of certiorari filed. |
| Mar 27 1981 | Record in re: certiorari delivered to the Supreme Court of the United States. |

**IN THE UNITED STATES COURT OF CLAIMS**

No. 23-73

JOSEPH J. CLARK
25 First Street
Brooklyn, New York 11231

FRANK D'AVERSA
22-33 126 Street
College Point, New York 11356

NICHOLAS J. LIBRETTO
84-16 259th Street
Floral Park, New York 11001

NICHOLAS J. PROTO
140-22 Bellamy Loop
Bronx, New York 10475

CARL SCIALPI
109 Marmora Road
Parsippany, New Jersey 07054

ALBERT WOLFUS
1323 E. 87th Street
Brooklyn, New York 11236

PLAINTIFFS

*v.*

THE UNITED STATES,
DEFENDANT

**PETITION**

(Filed January 30, 1976)

TO THE HONORABLE, THE JUDGES OF THE UNITED STATES COURT OF CLAIMS:

The above named plaintiffs respectfully represent:

1. That the plaintiffs are citizens of the United States and residents of the States of New York and New Jersey as shown by their addresses as set forth in the caption of this petition.

2. That jurisdiction of this Court rests upon 28 U.S.C. 1491, and the Back Pay Act of 1966, 5 U.S.C. 5596.

3. That each plaintiff is employed on the Staff of the Supervisor of Shipbuilding, Conversion and Repair, Department of the Navy in Brooklyn, New York.

4. That during the period of August, 1973, through October, 1974, each plaintiff was permanently promoted from a Ship Surveyor (Wage Board WD) classification position with an hourly rate of pay to a position as a General Schedule Civil Service employee, with a per annum rate.

5. That at the time of their promotions to the GS schedule, the salaries of plaintiffs Clark, D'Aversa, Proto, Scialpi and Wolfus were properly slotted and computed, in accordance with FPM Supp. 532–1, Subchapter 8–3d, p. 56 (Pay Admin). As shown below, the salary rate of each of these plaintiffs was later erroneously reduced.

6. That at the time of his promotion from Ship Surveyor (WD classification) to Engineering Technician GS-802–11, plaintiff LiBretto's new salary was incorrectly computed in accordance with FPM Supp. 990–2, Book 531, S2–4a(2) Regulation instead of FPM Supp. 532–1, Subchapter 8–3d.

7. That on November 18, 1974, plaintiff LiBretto filed a grievance concerning his improper pay rate allocation, under the GS Schedule, with the Consolidated Civilian Personnel Office of the Navy.

8. That under date of March 6, 1975, the Head, Operations Division, Consolidated Civilian Personnel Office reaffirmed the position taken by the agency with respect to plaintiff LiBretto's pay rate under the GS schedule, and advised that since the method of computation used therein resulted in discrepancies between his rate of pay and that of the other similarly situated plaintiffs that a formal written decision and determination as to the proper method of computation was being sought from the office of Civilian Manpower Management, Pay Compensation Policies Branch, Washington, D.C.

9. That under date of March 19, 1975, the Director of Civilian Manpower Management, Department of the Navy, affirmed the position of the agency in plaintiff Libretto's case and announced that the step rates of the other plaintiffs had been incorrectly set and would therefore be ad-

justed downward in accordance with the formula applied in plaintiff LiBretto's case.

10. That under date of April 14, 1975, plaintiffs Clark, D'Aversa, Proto, Scialpi and Wolfus received notification from the Civilian Personnel Officer, Naval Support Activity, that Standard Form 50(s) and Standard Form 1126(s) would be issued on April 28, 1975, resulting in a retroactive salary step rate downgrading for these plaintiffs.

11. That under date of April 28, 1975, Standard Form 50(s) and Standard Form 1126(s) were forwarded for payroll action to the Commanding Officer, Naval Supply Center, Norfolk, Virginia 23512, for pay adjustment downward by one step. At this time a request was also made by the Commanding Officer, Naval Support Activity, Brooklyn, New York, that withholdings of retroactive overages be deferred until a determination had been made by the Navy Accounting and Finance Center (NAFC) in response to a request that a waiver of claims for erroneous payments be granted.

12. That under date of June 4, 1975, a Group Grievance was filed by plaintiffs with the Supervisor of Shipbuilding Conversion and Repair, USN Brooklyn, New York, with respect to the reduction in pay rate of these plaintiffs.

13. That under date of June 10, 1975, the Group Grievance of June 4, 1975, was rejected by the Supervisor of Shipbuilding, Conversion and Repair, USN, Brooklyn, New York.

14. That the decision of the Supervisor of Shipbuilding, Conversion and Repair, USN, Brooklyn, New York, was appealed on June 11, 1975, to the Employee Appeal Review Board, Office of the Secretary of the Navy, Washington, D.C.

15. That under date of July 18, 1975, the Office of the Secretary, Department of the Navy, affirmed the rejection of plaintiffs' Group Grievance as involving a matter outside the jurisdiction of the Supervisor of Shipbuilding, Conversion and Repair.

16. That on June 23, 1975, plaintiff Nicholas J. LiBretto appealed the June 10, 1975, decision of the Supervisor of

Shipbuilding, Conversion and Repair, USN, Brooklyn, New York, to the New York Region of the United States Civil Service Commission.

17. That under date of July 16, 1975, the Chief, Personnel Management and Evaluation Division, New York Region, Civil Service Commission, denied plaintiff LiBretto's request for a hearing and stated that after a determination by the Employee Appeal Review Board of the Department of the Navy, there would be no further right of appeal to the Civil Service Commission on an employee grievance.

18. That plaintiff, *Nicholas J. LiBretto*, was promoted, effective October 12, 1974, from a wage board position as a Ship Surveyor (machinist), WD–3414, Grade 8, level 4 (salary rate: $7.92 per hour) to the General Schedule as an Engineering Technician (Drafting), GS-11, Step 5, at a salary of $16,627. At the time of this promotion to the General Schedule, plaintiff's salary and step were incorrectly set. In accordance with the provisions of FPM Chapter 531, 2–5 and FPM Supp. 532–1, Subchapter 8 Pay Admin. 5 8–3(d), p. 56, at the time of plaintiff's promotion he should have been assigned a GS-11, Step 7 slot. Plaintiff hereby makes claim for the difference in compensation between the GS 11/7 position to which he was entitled and the GS 11/5 slot to which he was assigned, effective 10–12–74 until the date of judgment.

19. That plaintiff *Joseph J. Clark* was promoted, effective 8–18–74 from a wage board position as a Ship Surveyor (Shipfitter), WD–6204, Grade 8, Step 5 (salary rate $8.29 per hour) to the General Schedule as a Quality Assurance Specialist GS-11, Step 8, at a salary of $18,094 per annum. His salary and step were correctly computed at that time, but were erroneously revised downward to GS-11, Step 7, at a salary of $17,605 per annum by way of a Standard Form 50, dated April 28, 1975. Plaintiff hereby makes claim for the difference between the salary at the GS-11, Step 8, level to which he was continuously entitled and his salary at the GS-11, Step 7, level, from April 28, 1975, to the date of judgment and for an order directing correction of the Personnel Action of April 28, 1975, to establish his entitlement to the GS-11, Step 8, level.

20. That plaintiff *Frank D'Aversa* was promoted, effective 8–24–74 from a wage board position as a Ship Surveyor (Pipe fitter), WD–4204(77), Grade 8, Step 5 (salary rate $8.29 per hour) to the General Schedule as a Supervisory Production Controller, GS-11, Step 8, at a salary of $18,094 per annum. His salary and step were correctly computed at that time, but were retroactively and erroneously downgraded to GS-11, Step 7, at a salary of $17,605 per annum by Standard Form 50, dated April 28, 1975. Thus plaintiff's subsequent promotion to the GS-12/4 level at a salary of $20,308 per annum was also adversely affected and revised to a GS-12/3 at $19,693 per annum, instead of the 4th step. Plaintiff hereby makes claim for the difference in compensation between the GS steps to which he was entitled and those to which he was erroneously assigned, effective March 19, 1975, until the date of judgment and for an order directing correction of the personnel action of April 28, 1975, to estabblish his entitlement to the GS-11 Step 8 level.

21. That plaintiff *Nicholas J. Proto* was temporarily promoted, effective 7–2–73 from a wage board position as a Ship Surveyor (Electrician) WD-2805(77) level 8, rate 5 (salary rate $7.48 per hour) to the General Schedule as a Production Controller (Ship building), GS-11, Step 5, at a salary of $15,860 per annum. This temporary promotion was made permanent by way of Standard Form 50, dated 8–31–73, effective 9–2–73. Plaintiff's salary and step were correctly computed via correction dated 11/2/73 at that time. However, through a series of reassignments, temporary and permanent promotions, plaintiff held the position of Contract Negotiator, at the GS–12, Step 3 level, effective 10–20–74. At the time of this promotion to the GS-12 level, plaintiff's step was incorrectly set at Step 3 in order to compensate for an alleged previous erroneous slotting. Effective 2–2–75, plaintiff was reassigned to a supervisory position with no corresponding raise in pay. Plaintiff is entitled to a GS–12, Step 6, slot and hereby makes claim for the difference in salary between the GS-12/3 level and the GS-12, Step 6, from February 2, 1975, until the date of judgment, and for an order directing correction of the per-

sonnel action of April 28, 1975, to establish his entitlement to the GS–12, Step 3.

22. That plaintiff *Carl Scialpi* was temporarily promoted, effective 9–14–74, from a wage board position as a Ship Surveyor (Shipfitter), WD–6204(77), Grade 8, Step 5 (salary rate $8.29 per hour) to the General Schedule as a Contract Negotiator, GS–11, Step 8, at a salary of $18,094 per annum. However, plaintiff was subsequently downgraded one step erroneously so that upon his permanent promotion to the GS schedule, he was incorrectly slotted at GS-11/9 instead of GS-11/10. Plaintiff hereby makes claim for the difference in salary between the GS 11/9 and the GS 11/10 slots, effective 2/16/75 until the date of judgment, and for an order directing corrections of the personnel action of April 28, 1975, to establish his entitlement to the GS-11, Step 8 level.

23. That plaintiff *Albert Wolfus* was promoted, effective 11/11/73 from a wage board position as a Ship Surveyor (Machinist) WD-3414(77), Grade 8, Step 5, (salary rate $7.48 per hour) to the General Schedule, GS-11, Step 5, at a salary of $16,627 per annum. His salary and step were correctly computed at that time, but were retroactively and erroneously downgraded to GS-11, Step 3, at a salary of $15,649 per annum by Standard Form 50, dated April 28, 1975. Thus plaintiff's subsequent promotion to the GS-12/2 level at a salary of $19,078 per annum was also adversely affected and revised to a GS-12/1 at $18,463 per annum, instead of the 2nd step. Plaintiff hereby makes claim for the difference in compensation between the GS steps to which he was entitled and those to which he was erroneously assigned, effective March 19, 1975, until the date of judgment, and for an order directing correction of the personnel action of April 28, 1975, to establish his entitlement to the GS-11, Step 3 level.

24. That plaintiffs have filed no action with Congress or any agency or department of the United States, nor have instituted any judicial proceedings, save those actions outlined above.

25. That no one other than plaintiffs has been designated

owner of those claims and no assignment of claims or any part thereof has been made.

WHEREFORE, plaintiffs pray that each plaintiff shall have and recover judgment against the United States for the salary he would have received, save for the erroneous downgrading as follows:

A. Plaintiff Joseph J. Clark, the difference between GS-11, Step 8 and GS-11, Step 7, from April 28, 1975, to date of judgment.

B. Plaintiff Frank D'Aversa, the difference between GS-12, Step 4, and GS-12, Step 3, from April 28, 1975, to date of judgment.

C. Plaintiff Nicholas J. LiBretto, the difference between GS-11, Step 7 and GS-11, Step 5, from October 12, 1974, to date of judgment.

D. Plaintiff. Nicholas Proto, the difference between GS–12 Step 6, and GS–12, Step 3, from February 2, 1975, to date of judgment.

E. Plaintiff Carl Scialpi, the difference between GS–11, Step 10 and GS–11, Step 9, from February 16, 1975, until the date of judgment.

F. Plaintiff Albert Wolfus, the difference between GS–12, Step 2, and GS–12, Step 1, from March 19, 1975, to date of judgment.

Plaintiffs further seek an order directing their appointment to the appropriate steps in grade, effective as of the respective dates referred to above, correction of all records to reflect the same—and such other relief as may be proper, pursuant to authority granted to this Court.

Respectfully submitted,

JOHN I. HEISE, JR.
*861 Pershing Drive*
*Silver Spring, Maryland 20910*
*585-8400*
*Attorney for Plaintiffs*

SAMUEL RESNICOFF
*280 Broadway*
*New York, New York 10007*
*Of Counsel*

IN THE UNITED STATES COURT OF CLAIMS

No. 26–76

JOSEPH J. CLARK, ET AL.,
PLAINTIFF

*v.*

THE UNITED STATES,
DEFENDANT.

## DEFENDANT'S ANSWER AND AFFIRMATIVE DEFENSES

For its answer to plaintiff's petition herein, defendant admits, denies and alleges as follows:

1. Admits the allegations of fact in paragraph 1.

2. The allegations of paragraph 2 are conclusions of law which require no answer but to the extent that they are determined to be statements of fact they are denied.

3–4. Admits the allegations of paragraphs 3 and 4.

5–6. Denies the allegations contained in paragraphs 5 and 6.

7. Denies the allegations of paragraph 7 for lack of knowledge or information sufficient to form a belief as to the truth thereof.

8–9. Admits the allegations of fact in paragraphs 8 and 9.

10. Admits the allegations of fact in paragraph 10 except denies that any collection of overpayments has been made.

11–15. Admits the allegations of fact in paragraphs 11 though 15.

16–17. Admits the allegations of fact in paragraphs 16 and 17.

18. Denies the allegation that plaintiff LiBretto's salary was incorrectly set.

19. Denies the allegation that plaintiff Clark's salary was incorrectly downgraded and revised.

20. Denies the allegation that plaintiff D'Aversa's salary was incorrectly downgraded and revised.

21. Denies the allegation that plaintiff Proto's salary was incorrectly downgraded and revised.

22. Denies the allegation that plaintiff Scialpi's salary was incorrectly downgraded and revised.

23. Denies the allegation that plaintiff Wolfus' salary was incorrectly downgraded and revised.

24–25. Denies the allegations of paragraphs 24 and 25 for lack of knowledge or information sufficient to form a belief as the truth thereof.

26. Denies each and every allegation of the petition not heretofore admitted, denied, or otherwise qualified.

**FIRST AFFIRMATIVE DEFENSE**

27. To the extent that the plaintiffs are alleging that their positions are incorrectly classified, the plaintiffs have failed to exhaust their administrative remedies.

**SECOND AFFIRMATIVE DEFENSE**

28. Defendant alleges that plaintiffs have failed to state a claim against the United States upon which relief can be granted.

WHEREFORE, defendant prays that plaintiffs' petition be dismissed and that defendant may be granted such other and further relief as may be just and proper.

REX E. LEE
*Assistant Attorney General*
*Civil Division*

MICHAEL J. RUBIN
*Attorney, Civil Division*
*Department of Justice*

NAVY OVERPRINT 10 72

EMPLOYEE — See general information on Re. 3

62794 e1

| 1. NAME (LAST, FIRST, MIDDLE) | MR./MISS/MRS. | 2. AGENCY USE | 3. BIRTH DATE (Mo., Day, Year) | 4. SOCIAL SECURITY NO. |
|---|---|---|---|---|
| SCIALFI, CARLO (NMN) | MR. (M) | 79400 | 03-28-21 | 0 087-12-6669 |

| 5. VETERAN'S PREFERENCE | 5A. FOR AGENCY USE | 6. TENURE GROUP | 7. SERVICE COMP. DATE | |
|---|---|---|---|---|
| 3 | | 1 | 09-25-41 | |

| 8. LEGAL AUTHORITY | | 10. RETIREMENT | 11. (FOR CSC USE) |
|---|---|---|---|
| 1 | | 1 | |

| 12. CODE NATURE OF ACTION | 13. EFFECTIVE DATE (Mo., Day, Year) | 14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY |
|---|---|---|
| 702 Promotion-Temporary* | 09-15-74 | C. S. Reg. 335.102 |

| 15. FROM: POSITION TITLE AND NUMBER | 16. PAY PLAN AND OCCUPATIONAL CODE | 17. GRADE OR LEVEL | 17. STEP OR RATE | 18. SALARY | |
|---|---|---|---|---|---|
| Ship Surveyor (Shipfitter) - 24786 | WD-6204 (77) | 08 | 05 | PH | $8.29 |

19. NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN,3RD
Quality Assurance Dept., Planning & Estimating Division, Estimating Branch
29th St. & 3rd Avenue, Brooklyn, N. Y. 11232

| 20. TO: POSITION TITLE AND NUMBER | 21. PAY PLAN AND OCCUPATIONAL CODE | 21A. (BLANK) | 22. GRADE OR LEVEL | 22. STEP OR RATE | 23. SALARY | |
|---|---|---|---|---|---|---|
| Contract Negotiator - SS-18.3(a) | GS-01102 | | 11 | 03 | PA | $18094 |

24. NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, 3RD
Contract/Material Dept., Contract Administration Division, Negotiation Branch
29th Street & 3rd Avenue, Brooklyn, N. Y. 11232

| 25. DUTY STATION (Organizational Unit) | 26. LOCATION CODE |
|---|---|
| Brooklyn, Kings, N. Y. | 36-4170-047 |

| 27. APPROPRIATION | 28. POSITION OCCUPIED | 29. APPORTIONED POSITION |
|---|---|---|
| O&MN, 1775 - 17517804.247B<br>Work J. C. - 62794-5-04001 | 1 | |

30. REMARKS

SEPARATION:

*This is a temporary promotion not to exceed 03-13-75 and may be terminated sooner. You will revert to your present position of Ship Surveyor (Shipfitter), WD-6204-08, Step 5, $8.29 p.h. on 14 March 1975 or sooner.

This action is taken in accordance with FPM Chapter 335, Subchapter 4 and a copy of your signed agreement to the terms of this promotion has been filed in your Official Personnel Folder.

CC: SUPSHIP THREE

Merit Promotion Anno. 74-SUPSHIP-31
P.D. attached

| D. RETIREMENT PLAN | DATE OF RETIREMENT (Mo. - Day - Year) | WITHIN-GRADE PAY GRADE | UNEXPIRED SVC COMPONENT |
|---|---|---|---|
| | | | |

E. WORK SCHEDULE | F. PAY RATE DETERMINANT | G. SPECIAL PROGRAM ID:

31. DATE OF APPOINTMENT

32. PERSONNEL OFFICE, EMPLOYING AGENCY
CCIO Representative, c/o IPO, 3RD
29th St. & 3rd Ave., Brooklyn, N.Y.11232

33. LOCATION
NV-24

34. SIGNATURE AND TITLE OF APPROVING OFFICIAL
E. UGO
Personnel Staffing Specialist

35. DATE 09-13-74

OFFICE NUMBER 4027

0103 — 249 — 4241
50 — 134 — 15 1. EMPLOYEE COPY

15

STANDARD FORM 50—Rev. December 1961
U.S. Civil Service Commission
FPM Chap. 296

NOTIFICATION OF PERSONNEL ACTION

(EMPLOYEE — See General Information on Reverse)

NAVY OVERRIDE 12-72
(NPT)

| | | | |
|---|---|---|---|
| 1. AGENCY USED: 62794 | | | |
| 1. NAME (LAST, FIRST, MIDDLE; MR., MRS., MISS): SCIALPI, Carlo (NMN) MR. (M) | 2. AGENCY USED: 9 F7[illegible]400 | 3. BIRTH DATE (Mo., Day, Year): 03-28-21 | 4. SOCIAL SECURITY NO.: 0 087-12-6668 |
| 5. VETERAN PREFERENCE | 6. TENURE GROUP | 7. SERVICE COMP. DATE | |
| 8. PEOPLE | 10. RETIREMENT | 11. | |
| 12. CODE AND NATURE OF ACTION: 715 Correction Change to Lower Grade | 13. EFFECTIVE DATE (Mo., Day, Year): 02-16-75 | 14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY | |
| 15. FROM: POSITION TITLE AND NUMBER | 16. PAY PLAN AND OCCUPATION CODE | 17. (a) GRADE OR LEVEL: 07 (b) STEP OR RATE | 18. SALARY: PA $18577 |
| 19. NAME AND LOCATION OF EMPLOYING OFFICE | | | |
| 20. TO: POSITION TITLE AND NUMBER | 21. PAY PLAN AND OCCUPATION CODE | 21(a) SERVICE CLASS | 22. (a) GRADE OR LEVEL (b) STEP OR RATE |
| 24. NAME AND LOCATION OF EMPLOYING OFFICE: Supervisor of Shipbuilding, Conversion and Repair<br>29th Street & 3rd Avenue<br>Brooklyn, N.Y. 11232 | | Quality Assurance Dept.<br>Planning and Est. Div.<br>Estimating Branch | |
| 25. DUTY STATION (City - County - State) | | | 26. LOCATION CODE: 36-4170-047 |
| 27. APPROPRIATION: O&MN, 1975-#1751804.2476<br>Job Order #62794-5-03002 | 28. POSITION OCCUPIED | 29. APPORTIONED POSITION | |
| 30. REMARKS | | | |
| SEPARATIONS: SHOW REASONS BELOW AS REQUIRED UNDER APPLICABLE REGULATIONS | | | |

Corrects item 17(b) from 08
Corrects item 18 from $19093

Corrections made in accordance with directive contained in OCHM ltr 5312:GHC
dtd 19 March 1975

| | | | |
|---|---|---|---|
| D. RETIRED UNIFORMED SERVICE<br>UNIFORMED SERVICE DESIGNATION | DATE OF RETIREMENT FROM UNIFORMED SERVICE (MO. - DAY - YEAR) | UNIFORMED SVC PAY GRADE | UNIFORMED SVC COMPONENT |
| E. WORK SCHEDULE | F. PAY RATE DETERMINANT | G. SPECIAL PROGRAM ID | |
| 31. DATE OF APPOINTMENT AFFIDAVIT (Accessions only) | 34. SIGNATURE (Or other Authentication) AND TITLE: A. MANNEBACH<br>Head, Operations Division | | |
| 32. OFFICE MAINTAINING PERSONNEL FOLDER (If different from employing office): CCPO, NAVSUPPACT, Brooklyn, N.Y. 11251 | 35. DATE: 04-28-75 | 36. SUBMITTING OFFICE NUMBER: 2567 | |
| 33. CODE: NV-24 | | | |

DEPARTMENT OF THE NAVY

0100-900-4241
50—134—15 1. EMPLOYEE COPY

SF 50-B (Rev. December 1965)
U.S. Civil Service Commission
FPM Chap. 295

(EMPLOYEE – See General Information on Reverse)

NAVY OVERPRINT 10-72
(7 PP.)

(FOR AGENCY USE)
5279h

| 1 NAME (CAPS) LAST-FIRST-MIDDLE | MR. MRS. MISS | 2 (FOR AGENCY USE) | 3 BIRTH DATE (Mo. Day. Year) | 4 SOCIAL SECURITY NO. |
|---|---|---|---|---|
| [redacted], ALBERT (NMI) | MR. | F79 0 | 08-31-21 | 0 [redacted] |

| 5 VETERAN PREFERENCE | 5A FOR AGENCY USE | 6 TENURE GROUP | 7 SERVICE COMP. DATE | [illegible] |
|---|---|---|---|---|
| 2 | | 1 | 03-09-42 | |

| 9 FEGLI | 10 RETIREMENT | 11 (FOR CSC USE) |
|---|---|---|
| 1 | 1 | |

| 12 CODE NATURE OF ACTION | 13 EFFECTIVE DATE (Mo. Day. Year) | 14 CIVIL SERVICE OR OTHER LEGAL AUTHORITY |
|---|---|---|
| 702 Promotion | 11-11-73 | C. S. Reg. 335.102 |

| 15 FROM: POSITION TITLE AND NUMBER | 16 PAY PLAN AND OCCUPATION CODE | 17 (a) GRADE OR LEVEL | (b) STEP OR RATE | 18 SALARY |
|---|---|---|---|---|
| Ship S rveyor (Machinist) - 78785 | WB-3413 (77) | 08 | 05 | PA $7.48 |

19 NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, 3ND
Quality Assurance Dept., Planning & Estimating Div., Advance Planning Branch
29th St. & 3rd Ave., Brooklyn, N. Y. 11232

| 20 TO: POSITION TITLE AND NUMBER | 21 PAY PLAN AND OCCUPATION CODE | 21(a) FUNCT CLASS | 22 (a) GRADE OR LEVEL | (b) STEP OR RATE | 23 SALARY |
|---|---|---|---|---|---|
| Contract Negotiator - GS-10.1 | GS-01102 | | 11 | 05 | PA $16527 |

24 NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, 3ND
Comptroller/Material Dept., Contract Administration Div., Negotiation Branch
29th St. & 3rd Ave., Brooklyn, N. Y. 11232

| 25 DUTY STATION (City - county - State) | 26 LOCATION CODE |
|---|---|
| Brooklyn, Kings, N. Y. | 36-h170-0h7 |

| 27 APPROPRIATION | 28 POSITION OCCUPIED | 29 APPORTIONED POSITION |
|---|---|---|
| 0[illegible], 1974 - 17h80h.2h73<br>Navy J. C. - 0279h-h-0h001 | 1 | |

30 REMARKS
A SUBJECT TO COMPLETION OF 1
B SERVICE COUNTING TOWARD CAREER OR PERMANENT TENURE
1613 PROBATIONARY OR TRIAL PERIOD COMMENCING

SEPARATIONS SHOW REASONS BELOW AS REQUIRED CHECK IF APPLICABLE
C DURING PROBATION

Promotion made in accordance with Merit Promotion Program.

Employee has read and accepts as a condition of employment a requirement for rotation or reassignment at intervals of no less than four years.

CC: SUPSHIP TURKS

D. RETIRED UNIFORMED SERVICE
UNIFORMED SERVICE DESIGNATION
DATE OF RETIREMENT FROM UNIFORMED SERVICE (MO - DAY - YEAR)
UNIFORMED SVC PAY GRADE
UNIFORMED SVC COMPONENT

E WORK SCHEDULE
F PAY RATE DETERMINANT
G SPECIAL PROGRAM ID

| 31 DATE OF APPOINTMENT AFFIDAVIT (Accessions only) | 34 SIGNATURE (Or other Authentication) AND TITLE |
|---|---|
| | T. H. CO<br>Personnel Staffing Specialist |
| 32 OFFICE MAINTAINING PERSONNEL FOLDER (If different from employing office)<br>Supervisor of Shipbuilding, Conv & Repair, USN<br>29th St. & 3rd Ave., Brooklyn, N. Y. 11232 | 35 DATE 11-03-73 |
| 33 COPY EMPLOYING DEPARTMENT OR AGENCY<br>17-24 DEPARTMENT OF THE NAVY | 36 A SUANTING OFFICE NUMBER<br>4427 |

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50 — 134 — 15

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19

STANDARD FORM 50—No. December 1981
U.S. Civil Service Commission
FPM Chap. 296

( ) NOTIFICATION OF PERSONNEL ACTION ( )

(EMPLOYEE — See General Information on Reverse)

NAVY OVERPRINT 10.72 (7-FT)

(FOR AGENCY USE)
62794

| 1. NAME (CAPS) LAST, FIRST, MIDDLE — MR., MISS, MRS. | 2. (FOR AGENCY USE) | 3. BIRTH DATE (Mo., Day, Year) | 4. SOCIAL SECURITY NO. |
|---|---|---|---|
| WOLFUS, Albert (NMN) Mr. (M) | 0-F79400 | 08-31-21 | 068-12-5986 |

| 5. VETERAN PREFERENCE | 5A. FOR AGENCY USE | 6. TENURE GROUP | 7. SERVICE COMP. DATE | |
|---|---|---|---|---|
| | | | | |

| 9. FEGLI | 10. RETIREMENT | 11. (FOR CSC USE) |
|---|---|---|
| | | |

| 12. CODE NATURE OF ACTION | 13. EFFECTIVE DATE (Mo., Day, Year) | 14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY |
|---|---|---|
| 702 Correction<br>Promotion | 03-28-75 | |

| 15. FROM: POSITION TITLE AND NUMBER | 16. PAY PLAN AND OCCUPATION CODE | 17. (a) GRADE OR LEVEL | (b) STEP OR RATE | 18. SALARY | |
|---|---|---|---|---|---|
| | | | 03 | PA | $16513 |

19. NAME AND LOCATION OF EMPLOYING OFFICE

| 20. TO: POSITION TITLE AND NUMBER | 21. PAY PLAN AND OCCUPATION CODE | 21(a) FUNCT CLASS | 22. (a) GRADE OR LEVEL | (b) STEP OR RATE | 23. SALARY | |
|---|---|---|---|---|---|---|
| | | | | 01 | PA | $18463 |

24. NAME AND LOCATION OF EMPLOYING OFFICE

Supervisor of Shipbuilding, Conversion & Repair, USN
29th Street &3rd Avenue
Brooklyn, N.Y. 11232

Contract/Material Dept.
Contract Administration Div.

| 25. DUTY STATION (City - County - State) | 26. LOCATION CODE |
|---|---|
| | 36-4170-047 |

| 27. APPROPRIATION | 28. POSITION OCCUPIED | 29. APPORTIONED POSITION |
|---|---|---|
| O&MN, 1975 - #1751804.247B<br>Job Order #62794-5-04001 | 1 COMPETITIVE SERVICE<br>2 EXCEPTED SERVICE | CODE / 1 PRIMARY 2 WORKING / TO / STATE |

30. REMARKS
A. SUBJECT TO COMPLETION OF 1 YEAR PROBATIONARY (OR TRIAL) PERIOD BEGINNING
B. SERVICE COUNTING TOWARD CAREER (OR PERMANENT TENURE) FROM
C. RETAINED PROBATION

SEPARATIONS SHOW REASONS BELOW AS REQUIRED BY LAW OR REGULATION

Corrects items 17(b) and 18 from 05 and $17545
Corrects items 22(b) and 23 from 02 and $19078

Corrections made in accordance with directive contained in OCMA ltr 5312:emc
dtd 19 March 1975

| 32. RETIRED UNIFORMED SERVICE | | | | |
|---|---|---|---|---|
| UNIFORMED SERVICE DESIGNATION | DATE OF RETIREMENT FROM UNIFORMED SERVICE (MO. - DAY - YEAR) | UNIFORMED SVC PAY GRADE | UNIFORMED SVC COMPONENT | |
| | | | | |

| 1. WORK SCHEDULE | 2. PAY RATE DETERMINANT | 3. SPECIAL PROGRAM ID |
|---|---|---|
| | | |

| 34. DATE OF APPOINTMENT AFFIDAVIT (Accessions only) | 35. SIGNATURE (Or typed authentication) AND TITLE |
|---|---|
| | A. MANNEBACH<br>Head, Operations Division |

| 37. OFFICE MAINTAINING PERSONNEL FOLDER (If different from employing office) | 38. DATE | 39. AGENCY CERTIFICATION NUMBER |
|---|---|---|
| CCPO, NAVSUPPACT, Brooklyn, N.Y. 11251 | 04-28-75 | 2567 |

| 40. CODE | EMPLOYING DEPARTMENT OR AGENCY |
|---|---|
| NV-2R | DEPARTMENT OF THE NAVY |

0100—200—4241
60—134—15 1. EMPLOYEE COPY

Best Copy Available

NOTIFICATION OF PERSONNEL ACTION

| 1. NAME (Last, First, Middle) | 2. DEPT. OR AGENCY (Est.) | 3. BIRTH DATE (Mo. Day, Year) | 4. SOCIAL SECURITY NO. |
|---|---|---|---|
| HROTO, NICHOLAS J. | F79h | 06-26-26 | 119-16-9597 |

| 5. VETERAN PREFERENCE | 6. TENURE GROUP | 7. SERVICE COMP. DATE | |
|---|---|---|---|
| 2 | 1 | 01-03-45 | |

| 8. FICA | 9. RETIREMENT | 10. |
|---|---|---|
| 4 | 1 | |

| 12. COA | NATURE OF ACTION | 13. EFFECTIVE DATE (Mo. Day, Year) | 14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY |
|---|---|---|---|
| 702 | Promotion-Temporary | 07-02-73 | C. S. Reg. 335.102 |

| 15. FROM: POSITION TITLE AND NUMBER | 16. PAY PLAN AND OCCUPATION CODE | 17. GRADE OR LEVEL | 17. STEP OR RATE | 18. SALARY |
|---|---|---|---|---|
| Ship Surveyor (Electrician) - JK787 | WD-2805(77) | 08 | 05 | PH - $7.68 |

19. NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, 3ND
Quality Assurance Dept., Planning & Estimating Div., Estimating Branch
29th St. & 3rd Ave., Brooklyn, N. Y. 11232

| 20. TO: POSITION TITLE AND NUMBER | 21. PAY PLAN AND OCCUPATION CODE | 22. GRADE OR LEVEL | 22. STEP OR RATE | 23. SALARY |
|---|---|---|---|---|
| #5025<br>Production Controller (Shipbuilding) | GS-01152 | 11 | 05 | PA - $15860 |

24. NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, 3ND
Quality Assurance Dept., Progress Div., Ship Superintendent's Branch
29th St. & 3rd Ave., Brooklyn, N. Y. 11232

| 25. DUTY STATION (City, County, State) | 26. LOCATION CODE |
|---|---|
| Brooklyn, Kings, N. Y. | 30-4170-067 |

| 27. APPROPRIATION | 28. POSITION OCCUPIED | 29. APPORTIONED POSITION |
|---|---|---|
| 0208, 1974 - #17411804.2473 | 1 COMPETITIVE SERVICE | FROM / TO / STATE |

30. REMARKS
* SUBJECT TO COMPLETION OF ___ YEAR PROBATIONARY OR TRIAL PERIOD COMMENCING ___
* SERVICE COUNTING TOWARD CAREER (OR PERMANENT) TENURE FROM ___

SEPARATIONS SHOWN BELOW AS REQUIRED. CHECK IF APPLICABLE ☐ * DURING PROBATION

This is a temporary promotion not to exceed 10-29-73. You will be returned to your former position of Ship Surveyor (Electrician), WD-2805(77)-08 on or before the expiration date of this temporary promotion.

This promotion is an exception to the Merit Promotion Program as employee is being promoted to a position from which previously demoted.

CC: SUPSHIP THREE

Best Copy Available

6152-125

| 31. DATE OF APPOINTMENT AFFIDAVIT (Accessions only) | 34. SIGNATURE (Or other authentication) AND TITLE |
|---|---|
| 32. OFFICE MAINTAINING PERSONNEL FOLDER (If different from employing office)<br>CCPO Representative, c/o PRO, 3ND<br>29th St. & 3rd Ave., Brooklyn, N.Y. 11232 | E. Lugo<br>Personnel Staffing Specialist |
| 33. CODE: EMPLOYING DEPARTMENT OR AGENCY<br>NV-24 DEPARTMENT OF THE NAVY | 35. DATE 07-02-73 4027 |

0109 - 200 - 4240
90 - 134 - 15

1. EMPLOYEE COPY

| 1 NAME (Last, First, Middle) | 2 FOR AGENCY USE | 3 BIRTH DATE (Mo., Day, Year) | 4 SOCIAL SECURITY NO. |
|---|---|---|---|
| [illegible], [illegible] J. | [illegible] | [illegible] | [illegible] |

| 5 VETERAN PREFERENCE | 5a FOR AGENCY USE | 6 TENURE GROUP | 7 SERVICE COMP. DATE | 8 [illegible] |
|---|---|---|---|---|
| 2 | | 1 | 01-13-[illegible] | [illegible] |

| 9 FEGLI | 10 RETIREMENT | 11 FOR OPM USE |
|---|---|---|
| 1 | 2 | |

| 12 CODE | NATURE OF ACTION | 13 EFFECTIVE DATE (Mo., Day, Yr.) | 14 CIVIL SERVICE OR OTHER LEGAL AUTHORITY |
|---|---|---|---|
| 702 | Re-[illegible]ppointment | 09-02-73 | C. S. R. 335.102 |

| 15 FROM: POSITION TITLE AND NUMBER | 16 PAY PLAN AND OCCUPATION CODE | 17 GRADE OR LEVEL | 17 STEP OR RATE | 18 SALARY |
|---|---|---|---|---|
| [illegible] Inspector (Electrician) - 7H787 | GS-850(77) | 09 | 05 | PA 7.16 |

19 NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, FB
Quality Assurance Dept., Planning & Estimating Div., Painting Branch
29th Street & 3rd Avenue, Brooklyn, N. Y. 11232

| 20 TO: POSITION TITLE AND NUMBER | 21 PAY PLAN AND OCCUPATION CODE | 21 [illegible] CLASS | 22 GRADE OR LEVEL | 22 STEP OR RATE | 23 SALARY |
|---|---|---|---|---|---|
| [illegible] Production Controller(Shipbuilding) | 03-0112 | | 11 | 05 | PA [illegible] |

24 NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, FB
Quality Assurance Dept., Progress Div., Ship Performance Branch
29th Street & 3rd Avenue, Brooklyn, N. Y. 11232

| 25 DUTY STATION (City - County - State) | 26 LOCATION CODE |
|---|---|
| Brooklyn, Kings, N. Y. | 36-[illegible]-27 |

| 27 APPROPRIATION | 28 POSITION OCCUPIED | 29 APPORTIONED POSITION |
|---|---|---|
| Work F.C. 17[illegible]-4-0302 | 1 | |

30 REMARKS

SEPARATIONS

This promotion removes temporary limitation placed on original action.

Employee has read and accepts as a condition of employment a requirement for rotation or reassignment at intervals of approximately four years.

CC: SUPSHIP

**Best Copy Available**

| D. RETIRED UNIFORMED SERVICE: UNIFORMED SERVICE DESIGNATION | DATE OF RETIREMENT FROM UNIFORMED SERVICE (MO. - DAY - YEAR) | UNIFORMED SVC PAY GRADE | UNIFORMED SVC COMPONENT |
|---|---|---|---|
| | | | |

| E. WORK SCHEDULE | F. PAY RATE DETERMINANT | G. SPECIAL PROGRAM ID |
|---|---|---|
| | | |

| 31. DATE OF APPOINTMENT AFFIDAVIT (Agency use only) | 34. SIGNATURE (Or other Authentication) AND TITLE |
|---|---|
| | E. LUGO [illegible] Personnel Staffing Specialist |

| 32. OFFICE MAINTAINING PERSONNEL FOLDER (If different from employing office) | 35. DATE | 36. SUBMITTING OFFICE NUMBER |
|---|---|---|
| [illegible] 2041 [illegible] Brooklyn, N.Y. 11232 | 08-31-73 | L027 |

| 33. CODE | EMPLOYING DEPARTMENT OR AGENCY |
|---|---|
| NV-21 | DEPARTMENT OF THE NAVY |

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SO - 134 - 15

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U.S. Civil Service Commission
FPM Chap. 295

EMPLOYEE – See General Information on Reverse

NAVY DEPARTMENT

FOR AGENCY USE

0279h

| 1. NAME (CAPS) LAST FIRST MIDDLE | MR. MISS. MRS. | 2. FOR AGENCY USE | 3. BIRTH DATE (Mo. Day. Year) | 4. SOCIAL SECURITY NO. |
|---|---|---|---|---|
| PICTO, THOMAS J. | MR. | [illegible] | 06-26-26 | [illegible] |

| 5. VETERAN PREFERENCE | 5A. FOR AGENCY USE | 6. TENURE GROUP | 7. SERVICE COMP. DATE | 8. [illegible] |
|---|---|---|---|---|
| 2 | | 1 | 01-23-56 | [illegible] |

| 9. LEGAL AUTHORITY | 10. POSITION | 11. (FOR CSC USE) |
|---|---|---|
| 1 | 1 | |

| 12. CODE NATURE OF ACTION | 13. EFFECTIVE DATE (Mo. Day. Year) | 14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY |
|---|---|---|
| 721 Normal Grade | 11-11-73 | C. S. Reg. 351.102 |

| 15. FROM: POSITION TITLE AND NUMBER | 16. PAY PLAN AND OCCUPATION CODE | 17. (a) GRADE OR LEVEL | (b) STEP OR RATE | 18. SALARY |
|---|---|---|---|---|
| 25025 Production Controller (Ship Alteration) | GS-01152 | 11 | 06 | PA 17716 |

19. NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, 3rd
Quality Assurance Brch., Production Div., Ship Superintendent's Branch
29th St. & 3rd Ave., Brooklyn, N. Y. 11232

| 20. TO: POSITION TITLE AND NUMBER | 21. PAY PLAN AND OCCUPATION CODE | 21(b) FUNCT. CLASS | 22. (a) GRADE OR LEVEL | (b) STEP OR RATE | 23. SALARY |
|---|---|---|---|---|---|
| Contract Negotiator - NEG-15 | GS-01102 | | 11 | 06 | PA 17716 |

24. NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, 3rd
Contract Administration Section, Planning Administration Div., Negotiation Branch
29th St. & 3rd Ave., Brooklyn, N. Y. 11232

| 25. DUTY STATION (City, County, State) | 26. LOCATION CODE |
|---|---|
| Brooklyn, Kings, N. Y. | 36-[illegible]-31 |

| 27. APPROPRIATION | 28. POSITION OCCUPIED | 29. APPORTIONED POSITION |
|---|---|---|
| 0173, 19?h - 17?0/0?h.2?73<br>Work A. C. 0279?-?-?h?? | 1 Competitive Service / 2 Excepted Service | Date / Agency / Bureau / State |

30. REMARKS
A. Subject to completion of [illegible] year probationary period (Trial Period for Conversion)
B. Service Counting Toward Career or Career-Conditional Appointment

SEPARATIONS (Show reason, action and effective date of separation) C. During Probation

Merit Promotion Announcement 73-SUPSHIP-3

Employee has read and accepts as a condition of employment a requirement for rotation or reassignment at intervals of no less than four years.

CC: SUPSHIP Team

Best Copy Available

D. RETIRED UNIFORMED SERVICE
UNIFORMED SERVICE DESIGNATION | DATE OF RETIREMENT FROM UNIFORMED SERVICE (MO. DAY. YEAR) | UNIFORMED SVC PAY GRADE | UNIFORMED SVC COMPONENT

E. WORK SCHEDULE | F. PAY RATE DETERMINANT | G. SPECIAL PROGRAM ID

| 31. DATE OF APPOINTMENT AFFIDAVIT (Accessions only) | 34. SIGNATURE (Or other Authentication) AND TITLE |
|---|---|
| | E. DIGG<br>Personnel Staffing Specialist |

| 32. OFFICE MAINTAINING PERSONNEL FOLDER (If different from employing office) | 33. CODE / EMPLOYING DEPARTMENT OR AGENCY | 35. DATE | 36. SUBMITTING OFFICE NUMBER |
|---|---|---|---|
| 29th St. & 3rd Ave., Brooklyn, N. Y. 11232 | 17-24 DEPARTMENT OF THE NAVY | 11-05-73 | 4027 |

0109 — 200 — 4241
50 — 134 — 15

STANDARD FORM 50 — Rev. December 1981
U.S. Civil Service Commission
FPM Chap. 295

# NOTIFICATION OF PERSONNEL ACTION

(EMPLOYEE — See General Information on Reverse)

NAVY OVERPRINT 10 7.
17 PI

4

(FOR AGENCY USE)
62794

| 1. NAME (CAPS) LAST-FIRST-MIDDLE | MR. MISS MRS. | 2. (FOR AGENCY USE) | 3. BIRTH DATE (Mo., Day, Year) | 4. SOCIAL SECURITY NO. |
|---|---|---|---|---|
| D'AVERSA, FRANK (NMN) | MR. | F79400 | 06-25-20 | C 070-14-4716 |

| 5. VETERAN PREFERENCE | 5A. FOR AGENCY USE | 6. TENURE GROUP | 7. SERVICE COMP. DATE | [redacted] |
|---|---|---|---|---|
| 2 | | 1 | 01-22-46 | |

| 9. FEGLI | 10. RETIREMENT | 11. (FOR CSC USE) |
|---|---|---|
| 1 | 1 | |

| 12. CODE NATURE OF ACTION | | 13. EFFECTIVE DATE (Mo., Day, Year) | 14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY |
|---|---|---|---|
| 702 | Promotion-Temporary | 05-26-74 | C. S. Reg. 335.102 |

| 15. FROM: POSITION TITLE AND NUMBER | 16. PAY PLAN AND OCCUPATION CODE | 17. (a) GRADE OR LEVEL | (b) STEP OR RATE | 18. SALARY | |
|---|---|---|---|---|---|
| Ship Surveyor (Pipefitter) - #4796 | WD-4204 (77) | 08 | 05 | PH | $7.89 |

19. NAME AND LOCATION OF EMPLOYING OFFICE

| 20. TO: POSITION TITLE AND NUMBER | 21. PAY PLAN AND OCCUPATION CODE | 21(b) FUNCT. CLASS. | 22. (a) GRADE OR LEVEL | (b) STEP OR RATE | 23. SALARY | |
|---|---|---|---|---|---|---|
| Supvy Production Controller (Shipbuilding) - SS-59 | GS-01152 | | 11 | 07 | PA | $17605 |

24. NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, 3ND
Quality Assurance Dept., Planning & Estimating Div., Estimating Branch
29th Street & 3rd Avenue, Brooklyn, N. Y. 11232

| 25. DUTY STATION (City - county - State) | 26. LOCATION CODE |
|---|---|
| Brooklyn, Kings, N. Y. | 36-4170-047 |

| 27. APPROPRIATION | 28. POSITION OCCUPIED | 29. APPORTIONED POSITION |
|---|---|---|
| O&MN, 1974 - #1741804.2473<br>Work J. O. 62794-4-03001 | 1 | |

30. REMARKS.
A. SUBJECT TO COMPLETION OF ___ YEAR PROBATIONARY (OR TRIAL) PERIOD COMMENCING: ___
B. SERVICE COUNTING TOWARD CAREER OR PERMANENT TENURE FROM ___
C. DURING PROBATION

SEPARATIONS: SHOW REASONS BELOW, AS REQUIRED. CHECK IF APPLICABLE

This is a temporary promotion not to exceed 08-23-74 and may be terminated sooner. You will revert to your present position of Ship Surveyor (Pipefitter), WD-4204-08, JD #4796 on 08-23-74 or sooner.

This action is taken in accordance with FPM Chapter 335, Subchapter 4 and a copy of your signed agreement to the terms of this promotion has been filed in your Official Personnel Folder.

CC: SUPSHIP THREE

D. RETIRED UNIFORMED SERVICE: UNIFORMED SERVICE DESIGNATION: ___ DATE OF RETIREMENT FROM UNIFORMED SERVICE: (MO - DAY - YEAR) ___ UNIFORMED SVC PAY GRADE: ___ UNIFORMED SVC COMPONENT: ___

E. WORK SCHEDULE ___ F. PAY RATE DETERMINANT: ___ G. SPECIAL PROGRAM ID: ___

31. DATE OF APPOINTMENT AFFIDAVIT (Accessions only)

34. SIGNATURE (Or other Authentication) AND TITLE
E. LUCO
Personnel Staffing Specialist

32. OFFICE MAINTAINING PERSONNEL FOLDER (If different from employing office)
CCPO Representative, c/o LFO, 3ND
29th St. & 3rd Ave., Brooklyn, N.Y.11232

33. CODE NV-24 EMPLOYING DEPARTMENT OR AGENCY
DEPARTMENT OF THE NAVY

35. DATE 05-25-74

35.a. SUBMITTING OFFICE NUMBER 4027

52

0109 — 200 — 4241
80 — 134 — 15 1. EMPLOYEE COPY

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STANDARD FORM 50 — Rev. (September 1981
U.S. Civil Service Commission
FPM Chap. 295

# NOTIFICATION OF PERSONNEL ACTION

(EMPLOYEE — See General Information on Reverse)

NAVY OVERPRINT

(FOR AGENCY USE)
62794

| 1. NAME (CAPS) LAST-FIRST-MIDDLE | MR./MISS/MRS. | 2. (FOR AGENCY USE) | 3. BIRTH DATE (Mo., Day, Year) | 4. SOCIAL SECURITY NO. |
|---|---|---|---|---|
| D'AVERSA, FRANK (NMI) | MR. | F79400 | 06-25-20 | 0 070-14-4716 |

| 5. VETERAN PREFERENCE | 5A. FOR AGENCY USE | 6. TENURE GROUP | 7. SERVICE COMP. DATE |
|---|---|---|---|
| 1 = NO 3 = 10 PT. DISAB 5 = 10 PT. Other<br>2 = 5 PT. 4 = 10 PT. Comp | | | |

| 9. FEGLI | 10. RETIREMENT | 11. (FOR CSC USE) |
|---|---|---|
| 1 = ELIGIBLE 3 = WAIVED 4 = CONVERTIBLE 5 = Opt | 1 = CS 3 = FS 5 = OTHER<br>2 = FICA 4 = NONE | |

| 12. CODE NATURE OF ACTION | 13. EFFECTIVE DATE (Mo., Day, Year) | 14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY |
|---|---|---|
| 002 CORRECTION<br>702 Promotion-Temporary | 05-26-74 | |

| 15. FROM: POSITION TITLE AND NUMBER | 16. PAY PLAN AND OCCUPATION CODE | 17. (a) GRADE OR LEVEL (b) STEP OR RATE | 18. SALARY |
|---|---|---|---|
| | | | PH $8.29 |

19. NAME AND LOCATION OF EMPLOYING OFFICE

| 20. TO: POSITION TITLE AND NUMBER | 21. PAY PLAN AND OCCUPATION CODE | 21(b) FUNCT. CLASS. | 22. (a) GRADE OR LEVEL (b) STEP OR RATE | 23. SALARY |
|---|---|---|---|---|
| | | | 08 | PA $18094 |

24. NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, 3ND
Quality Assurance Dept., Planning & Estimating Div., Estimating Branch
29th Street & 3rd Avenue, Brooklyn, N. Y. 11232

| 25. DUTY STATION (L. + County + State) | 26. LOCATION CODE |
|---|---|

| 27. APPROPRIATION | 28. POSITION OCCUPIED (1 = COMPETITIVE SERVICE, 2 = EXCEPTED SERVICE) | 29. APPORTIONED POSITION (FROM, TO, STATE; 1 = PROVED, 2 = WAIVED) |
|---|---|---|
| Work J. O. 62794-4-03001 | | |

30. REMARKS
A. SUBJECT TO COMPLETION OF 1 YEAR PROBATIONARY (OR TRIAL) PERIOD COMMENCING
B. SERVICE COUNTING TOWARD CAREER OR PERMANENT TENURE FROM
SEPARATIONS: SHOW REASONS BELOW AS REQUIRED. CHECK IF APPLICABLE C. DURING PROBATION

Corrects item 18 from PH-$7.89
Corrects item 22(b) from 07
Corrects item 23 from PA-$17605

This correction is made in accordance with DOD Wage Fixing Authority ltr of 5/14/74, and NAVSUPPACTNOTE 12531, Ch.1 of 5/30/74.

CC: SUPSHIP THREE

D. RETIRED UNIFORMED SERVICE
UNIFORMED SERVICE DESIGNATION: ☐ DATE OF RETIREMENT FROM UNIFORMED SERVICE (MO - DAY - YEAR): ☐☐☐☐☐☐ UNIFORMED SVC PAY GRADE: ☐☐ UNIFORMED SVC COMPONENT: ☐

E. WORK SCHEDULE ☐ F. PAY RATE DETERMINANT ☐ G. SPECIAL PROGRAM ID: ☐☐

| 31. DATE OF APPOINTMENT AFFIDAVIT (Accessions only) | 34. SIGNATURE (Or other Authentication) AND TITLE |
|---|---|
| | E. LUCO<br>Personnel Staffing Specialist |

| 32. OFFICE MAINTAINING PERSONNEL FOLDER (If different from employing office) | 35. DATE | 36. SUBMITTING OFFICE NUMBER |
|---|---|---|
| CCPO Representative, c/o NFO, 3ND<br>29th St. & 3rd Ave., Brooklyn, N.Y.11232 | 06-05-74 | 4027 |

| 33. CODE | EMPLOYING DEPARTMENT OR AGENCY |
|---|---|
| NV-24 | DEPARTMENT OF THE NAVY |

0109 — 200 — 4241
50 — 134 — 15 1. EMPLOYEE COPY

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81

STANDARD FORM 50 — Rev. December 1981
U.S. Civil Service Commission
FPM Chap 295

# NOTIFICATION OF PERSONNEL ACTION

(EMPLOYEE — See General Information on Reverse)

NAVY OVERPRINT 10-92
(7-PT)

(FOR AGENCY USE)
62794

| 1. NAME (CAPS) LAST-FIRST-MIDDLE | MR.-MISS-MRS. | 2. (FOR AGENCY USE) | 3. BIRTH DATE (Mo., Day, Year) | 4. SOCIAL SECURITY NO. |
|---|---|---|---|---|
| D'AVERSA, FRANK (NMN) | MR. | F79400 | 06-25-20 | 070-14-4716 |

| 5. VETERAN PREFERENCE | 5A. FOR AGENCY USE | 6. TENURE GROUP | 7. SERVICE COMP. DATE | [redacted] |
|---|---|---|---|---|
| 2 | | 1 | 01-22-46 | |

| 9. PEGL | 10. RETIREMENT | 11. (FOR CSC USE) |
|---|---|---|
| 1 | 1 | |

| 12. CODE | NATURE OF ACTION | 13. EFFECTIVE DATE (Mo., Day, Year) | 14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY |
|---|---|---|---|
| 702 | Promotion - Permanent | 08-24-74 | C. S. Reg. 335.102 |

| 15. FROM: POSITION TITLE AND NUMBER | 16. PAY PLAN AND OCCUPATION CODE | 17. (a) GRADE OR LEVEL | (b) STEP OR RATE | 18. SALARY | |
|---|---|---|---|---|---|
| #4796<br>Ship Surveyor (Pipefitter) | WD-4204(77) | 08 | 05 | PH | $8.29 |

19. NAME AND LOCATION OF EMPLOYING OFFICE

| 20. TO: POSITION TITLE AND NUMBER | 21. PAY PLAN AND OCCUPATION CODE | 21(a) INCENT. CLASS. | 22. (a) GRADE OR LEVEL | (b) STEP OR RATE | 23. SALARY | |
|---|---|---|---|---|---|---|
| SS-22<br>Supvy Production Controller<br>(Shipbuilding) | GS-01152 | | 11 | 08 | PA | $18094 |

24. NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, 3ND
Quality Assurance Dept., Planning & Estimating Division, Advance Planning Branch
29th St. & 3rd Avenue, Brooklyn, N.Y.11232

| 25. DUTY STATION (City - county - State) | 26. LOCATION CODE |
|---|---|
| Brooklyn, Kings, N.Y. | 36-4170-047 |

| 27. APPROPRIATION | 28. POSITION OCCUPIED | 29. APPORTIONED POSITION |
|---|---|---|
| O&MN,1975-91751804.247B<br>Work J.O.62794-5-02001 | 1 | |

30. REMARKS
A. SUBJECT TO COMPLETION OF 1 YEAR PROBATIONARY OR TRIAL PERIOD COMMENCING
B. SERVICE COUNTING TOWARD CAREER (OR PERMANENT) TENURE FROM

SEPARATIONS (Show reason(s) below, as required, if block applicable) C. DURING PROBATION

This action terminates temporary promotion NTE-08-23-84
Selection made in accordance with Merit Promotion Program

CC: SUPSHIP THREE

**Best Copy Available**

| 31. RETIRED UNIFORMED SERVICE: UNIFORMED SERVICE DESIGNATION | DATE OF RETIREMENT FROM UNIFORMED SERVICE: (MO - DAY - YEAR) | UNIFORMED SVC PAY GRADE | UNIFORMED SVC COMPONENT |
|---|---|---|---|
| | | | |

| E. WORK SCHEDULE | F. PAY RATE DETERMINANT | G. SPECIAL PROGRAM ID |
|---|---|---|
| | | |

| 32. DATE OF APPOINTMENT AFFIDAVIT (Accessions only) | 34. SIGNATURE (Or other Authentication) AND TITLE |
|---|---|
| | E. LUGO<br>Personnel Staffing Specialist |

| 33. OFFICE MAINTAINING PERSONNEL FOLDER (If different from employing office) | 35.a SUBMITTING OFFICE NUMBER |
|---|---|
| CCPO Representative, c/o NFO, 3ND<br>29th St. & 3rd Ave., Brooklyn, N.Y.11232 | 4027 |

| 36. CODE | EMPLOYING DEPARTMENT OR AGENCY | 35. DATE |
|---|---|---|
| NS-24 | DEPARTMENT OF THE NAVY | 08-22-74 |

50

83

01-30 — 200 — 4241
80 — 134 — 15 1. EMPLOYEE COPY

(EMPLOYEE – See General Information on Reverse)

62794

| 1. NAME (CAPS) LAST FIRST MIDDLE | MR., MISS, MRS. | 2. (FOR AGENCY USE) | 3. BIRTH DATE (Mo., Day, Year) | 4. SOCIAL SECURITY NO. |
|---|---|---|---|---|
| LIBRETTO NICHOLAS J. | MR. (M) | F 794-00 4 | 01-30-30 | 9 108-22-7859 |

| 5. VETERAN PREFERENCE | 5A. FOR AGENCY USE | 6. TENURE GROUP | 7. SERVICE COMP. DATE | |
|---|---|---|---|---|
| 2 | 10 | 1 | 03-15-51 | 00 |

| 8. FEGLI | 10. RETIREMENT | 11. (FOR CSC USE) |
|---|---|---|
| 1 | 1 | |

| 12. CODE | NATURE OF ACTION | 13. EFFECTIVE DATE (Mo., Day, Year) | 14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY |
|---|---|---|---|
| 702 | Promotion | 10-12-74 | Reg 335.102 |

| 15. FROM: POSITION TITLE AND NUMBER | 16. PAY PLAN AND OCCUPATION CODE | 17. (a) GRADE OR LEVEL | (b) STEP OR RATE | 18. SALARY | |
|---|---|---|---|---|---|
| Ship Surveyor (machinist) SS-27.2 | WD-3414 | 03 | 04 | PH | $00792 |

19. NAME AND LOCATION OF EMPLOYING OFFICE

Quality Assurance Department
Planning & Estimating Division
Estimating Branch
6-794-00

| 20. TO: POSITION TITLE AND NUMBER | 21. PAY PLAN AND OCCUPATION CODE | 21A. FUNCT. CLASS. | 22. (a) GRADE OR LEVEL | (b) STEP OR RATE | 23. SALARY | |
|---|---|---|---|---|---|---|
| P.D. 4690 Engineering Technician (Drafting) | GS-00802 | | 11 | 05 | PA | $16,627 |

24. NAME AND LOCATION OF EMPLOYING OFFICE

Supervisor of Shipbuilding, Conversion & Repair, USN, 3rd Planning Department
29th Street & Third Avenue Technical Support Division
Brooklyn, New York 11232 Technical Coordination Branch

25. DUTY STATION (City - County - State)
Brooklyn, Kings, New York

26. LOCATION CODE
36-4170-047

27. APPROPRIATION
O&M, 1975 - #1751804.2473
J.O. #62794-5-02001

28. POSITION OCCUPIED
1 = COMPETITIVE SERVICE
2 = EXCEPTED SERVICE
1

29. APPORTIONED POSITION
FROM: TO: STATE
1 = PROPOSED 2 = APPROVED

30. REMARKS
A. SUBJECT TO COMPLETION OF 1 YEAR PROBATIONARY OR TRIAL PERIOD BEGINNING:
B. SERVICE COUNTING TOWARD EARLIER OR PERMANENT TENURE FROM:

SEPARATIONS SHOW REASONS BELOW, AS REQUIRED. CHECK IF APPLICABLE C. DURING PROBATION

Merit Promotion; anno. 74-SUPSHIP-27

FLSA: Non-exempt

P.D. attached.

CC: SUPSHIP 3

Best Copy Available

31. RETIRED UNIFORMED SERVICE: UNIFORMED SERVICE DESIGNATION:
DATE OF RETIREMENT FROM UNIFORMED SERVICE (MO - DAY - YEAR):
UNIFORMED SVC PAY GRADE:
UNIFORMED SVC COMPONENT:

32. WORK SCHEDULE: F
33. PAY RATE DETERMINANT: 0
G. SPECIAL PROGRAM ID: 00

34. DATE OF APPOINTMENT AFFIDAVIT (Accessions only)

35. SIGNATURE (Or other Authentication) AND TITLE
FRED RISSMEYER
Personnel Staffing Specialist

36. (For use of this form by activities other than the Civil Service Commission)
2/Lt. Rose, C/O Navy Finance Office
2nd St. & 3rd Avenue, Brkyn, NY 11232

37. EMPLOYING DEPARTMENT OR AGENCY
DEPARTMENT OF THE NAVY

38. DATE 11 October 1974

39. SUBMITTING OFFICE NUMBER
4027

NV-24

1. EMPLOYEE COPY

APPLICATION FOR PERSONNEL ACTION

(EMPLOYEE - See reverse for additional information or instructions)

62794

| 1. NAME (LAST, FIRST, MIDDLE) | MR, MISS, MRS | 2. (FOR AGENCY USE) | 3. BIRTH DATE (Mo., Day, Year) | 4. SOCIAL SECURITY NO. |
|---|---|---|---|---|
| CLARK, JOSEPH J. | MR. | F79400 | 06-21-22 | 053-12-1589 |

| 5. VETERAN PREFERENCE | 5A. FOR AGENCY USE | 6. TENURE GROUP | 7. SERVICE COMP. DATE | 8. [illegible] |
|---|---|---|---|---|
| 2 | | 1 | 12-05-41 | [illegible] |

| 9. TYPE | 10. RE-EMPLOYMENT | 11. (FOR CSC USE) |
|---|---|---|
| 1 | 1 | |

| 12. FROM: NATURE OF ACTION | 13. EFFECTIVE DATE (Mo., Day, Year) | 14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY |
|---|---|---|
| 702 Promotion | 08-18-74 | C.S.Reg.335.102 |

| 15. FROM: POSITION TITLE AND NUMBER | 16. PAY PLAN AND OCCUPATION CODE | 17. GRADE OR LEVEL | 17. STEP OR RATE | 18. SALARY | |
|---|---|---|---|---|---|
| SS-23 Ship Surveyor (Shipfitter) | WD-6204 | 08 | 05 | PH | $8.29 |

19. NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, 3ND
Quality Assurance Dept.,Planning & Estimating Division, Estimating Branch
29th St. & 3rd Avenue, Brooklyn, N.Y.11232

| 20. TO: POSITION TITLE AND NUMBER | 21. PAY PLAN AND OCCUPATION CODE | 21. (FOR CSC USE) CLASS. | 22. GRADE OR LEVEL | 22. STEP OR RATE | 23. SALARY | |
|---|---|---|---|---|---|---|
| SS-31 Quality Assurance Specialist (Process) | GS-01910 | | 11 | 08 | PA | $18094 |

24. NAME AND LOCATION OF EMPLOYING OFFICE
Supervisor of Shipbuilding, Conversion & Repair, USN, 3ND
Quality Assurance Dept., Planning & Process Control Division
29th St. & 3rd Avenue, Brooklyn, N.Y. 11232

25. LOCATION CODE
36-4170-047

Brooklyn, Kings, N.Y.

OMB,1973-0175180A,24B
W rk 3.0,62794-5-03001

| 27. TYPE APPT. | 28. APPROPRIATION/FUNDING |
|---|---|
| 1 | |

Selection made in accordance with Navis Promotion Program.

CC: SUPSHIP THREE

| 36. DATE OF APPOINTING OFFICER'S SIGNATURE | 37. SIGNATURE AND TITLE OF APPOINTING OFFICER |
|---|---|
| | E. LIGO [illegible] Personnel Staffing Specialist |

CCPO Representative, c/o NFO, 3ND
29th St. & 3rd Ave., Brooklyn, N.Y.11232

| 38. AGENCY CLASSIFICATION | 39. EMPLOYING DEPARTMENT OR AGENCY | 40. DATE | 41. PERSONNEL OFFICE IDENTIFIER |
|---|---|---|---|
| NV-24 | DEPARTMENT OF THE NAVY | 08-16-74 | 4027 |

23

1. EMPLOYEE COPY

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STANDARD FORM 50 -- Rev. December 1981
U.S. Civil Service Commission
FPM Chap. 296

# NOTIFICATION OF PERSONNEL ACTION

(EMPLOYEE — See General Information on Reverse)

NAVY OVERPRINT 10-72 (7-71)

(FOR AGENCY USE)
62794

| 1. NAME (CAPS) LAST-FIRST-MIDDLE | MR.-MISS-MRS. | 2. (FOR AGENCY USE) | 3. BIRTH DATE (Mo., Day, Year) | 4. SOCIAL SECURITY NO. |
|---|---|---|---|---|
| CLARK, Joseph J. Mr. (M) | | F79400 | 06-21-22 | 0 053-12-1589 |

| 5. VETERAN PREFERENCE | 5A. FOR AGENCY USE | 6. TENURE GROUP | 7. SERVICE COMP. DATE | |
|---|---|---|---|---|
| 1. NP 3. 10 PT DISAB 5. 10 PT OTHER 2. 5 PT 4. 10 PT COMP | | | | |

| 9. FEGLI | 10. RETIREMENT | 11. (FOR CSC USE) |
|---|---|---|
| 1 ENROLLED (Regular) — WAIVED (Optional) 2 INELIGIBLE 3 WAIVED 4 ENROLLED (Reg. Only) | 1 CS 3 FS 5 OTHER 2 FICA 4 NONE | |

| 12. CODE NATURE OF ACTION | 13. EFFECTIVE DATE (Mo., Day, Year) | 14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY |
|---|---|---|
| 702 Correction Promotion | 08-18-74 | |

| 15. FROM: POSITION TITLE AND NUMBER | 16. PAY PLAN AND OCCUPATION CODE | 17. (a) GRADE OR LEVEL | (b) STEP OR RATE | 18. SALARY |
|---|---|---|---|---|
| | | | | |

19. NAME AND LOCATION OF EMPLOYING OFFICE

| 20. TO: POSITION TITLE AND NUMBER | 21. PAY PLAN AND OCCUPATION CODE | 21(a) FUNCT. CLASS | 22. (a) GRADE OR LEVEL | (b) STEP OR RATE | 23. SALARY |
|---|---|---|---|---|---|
| | | | | 07 | PA $17605 |

24. NAME AND LOCATION OF EMPLOYING OFFICE

Supervisor of Shipbuilding, Conversion & Repair, USN
29th Street & 3rd Avenue
Brooklyn, N.Y. 11232

Quality Assurance Dept.
Planning & Process
Control Division

| 25. DUTY STATION (City - county - State) | 26. LOCATION CODE |
|---|---|
| | 36-4170-047 |

| 27. APPROPRIATION | 28. POSITION OCCUPIED | 29. APPORTIONED POSITION |
|---|---|---|
| O&MN, 1975 - #1751804.247B<br>Job Order #62794-5-02001 | 1 COMPETITIVE SERVICE 2 EXCEPTED SERVICE | 1 OCCUPIED 2 VACANT |

30. REMARKS

SEPARATIONS

Corrects item 22(b) from 08
Corrects item 23 from $18094

Corrections made in accordance with directive contained in OCHM letter 5312:emc
dtd 19 March 1975/

**Best Copy Available**

D. RETIRED UNIFORMED SERVICE
UNIFORMED SERVICE DESIGNATION
DATE OF RETIREMENT FROM UNIFORMED SERVICE (MO - DAY - YEAR)
UNIFORMED SVC PAY GRADE
UNIFORMED SVC COMPONENT

E. WORK SCHEDULE
F. PAY RATE DETERMINANT
G. SPECIAL PROGRAM ID

| 31. DATE OF APPOINTMENT AFFIDAVIT (Accessions only) | 34. SIGNATURE (Or name, Authentication) AND TITLE |
|---|---|
| | A. HANNEBACH<br>Head, Operations Division |
| 32. OFFICE MAINTAINING PERSONNEL FOLDER (If different from employing office) | |
| CCPO, NAVSUPPACT, Brooklyn, N.Y. 11251 | |
| 33. FOR EMPLOYING DEPARTMENT OR AGENCY | 35. DATE 04-28-75 |
| NV-24 DEPARTMENT OF THE NAVY | 35A. PERSONNEL OFFICE IDENTIFIER 2567 |

0109 — 700 — 4241
80 — 134 — 15 1. EMPLOYEE COPY

88

**NAVAL SUPPORT ACTIVITY**
**136 Flushing Avenue**
**Brooklyn, New York 11251**

IN REPLY REFER TO:
NAVSUPPACTNOTE 12531 CH-1
20/LCF:def
30 May 1974

**NAVAL SUPPORT ACTIVITY BROOKLYN NOTICE 12531 of 20 May 1974, CHANGE TRANSMITTAL, 1**

Subj: Implementation of Pay Adjustment for Federal Prevailing Rate System

Encl: (1) Copy of Adjusted Wage Rate Schedule

1. *Background. The DoD Wage Fixing Authority* has issued pay adjustments to the Federal Wage System Regular and Special Production Facilitating Wage Rate Schedules for the New York, N.Y. Wage Area, based upon Termination of the Economic Stabilization Program. The adjusted schedule rates are effective 12 May 1974.

2. *Purpose.* To promulgate Change 1 to NAVAL SUPPORT ACTIVITY BROOKLYN NOTICE 12531 of 20 May 1974.

3. *Action.* Remove enclosure (1) to subject Notice and insert new Enclosure (1). Ensure that each wage grade employee affected by this change be given a copy of this change transmittal.

/s/ _____
W. P. HOLDEN

*Distribution*
(COMTHREE/COMNAVRASENYKINST 5216.8G)
List A
CCPO Distribution List

## U.S. NAVY INTERNATIONAL LOGISTICS CONTROL OFFICE, BAYONNE

### *REGULAR WAGE RATE SCHEDULE*

| *NON-SUPERVISORY* | *GRADE* | *1st* | *2nd* | *3rd* | *4th* | *5th* |
|---|---|---|---|---|---|---|
| Warehouseman | WG-5 | 4.60 | 4.79 | 4.98 | 5.17 | 5.36 |
| Motor Vehicle Operator | WG-6 | 4.79 | 4.99 | 5.19 | 5.39 | 5.59 |
| Laborer | WG-3 | 4.20 | 4.38 | 4.56 | 4.73 | 4.91 |
| Laborer | WG-1 | 3.81 | 3.97 | 4.13 | 4.29 | 4.45 |

### *FEDERAL WAGE SYSTEM REGULAR WAGE RATE SCHEDULE*
### *SUPERVISOR OF SHIPBUILDING CONVERSION & REPAIR*
### *(BROOKLYN, N.Y.)*

| *RATING* *NON-SUPERVISORY* | *GRADE* | *1st* | *2nd* | *3rd* | *4th* | *5th* |
|---|---|---|---|---|---|---|
| Ship Surveyor (Shipfitter) | WD-8 | 6.79 | 7.16 | 7.54 | 7.92 | 8.29 |
| Ship Surveyor (Machinist) | WD-8 | 6.79 | 7.16 | 7.54 | 7.92 | 8.29 |
| Ship Surveyor (Electrician) | WD-8 | 6.79 | 7.16 | 7.54 | 7.92 | 8.29 |
| Ship Surveyor (Electronics Mechanic) | WD-8 | 6.79 | 7.16 | 7.54 | 7.92 | 8.29 |
| Ship Surveyor (Pipefitter) | WD-8 | 6.79 | 7.16 | 7.54 | 7.92 | 8.29 |
| Ship Progressman (Pipefitter) | WD-8 | 6.79 | 7.16 | 7.54 | 7.92 | 8.29 |
| Ship Surveyor (Boilermaker) | WD-8 | 6.79 | 7.16 | 7.54 | 7.92 | 8.29 |
| Ship Surveyor (Ordnance Equipment Mechanic) | WD-8 | 6.79 | 7.16 | 7.54 | 7.92 | 8.29 |

**NAVAL SUPPORT ACTIVITY**
**138 Flushing Avenue**
**Brooklyn, New York 11251**

20:ACM:mc
12210
Ser 303
4 March 1975

From: Consolidated Civilian Personnel Officer, Naval Support Activity, Brooklyn
To: Office of Civilian Manpower Management (OCMM-53), Washington, D.C.
Subj: Determination of Pay Fixing in Processing Promotions from Ungraded to Graded and Graded to Ungraded; request for advice and clarification of interpretation concerning
Encl: (1) Copy of SF50—Promotion, N. Libretio, from Ship Surveyor (Machinist) to Engineering Technician GS-332-11
(2) Copy of SF50—Promotions, Six Employees, from Ship Surveyor to Graded Positions at GS-11 grade level

1. Subsequent to effecting enclosure (1), the employee raised verbal and written inquiries as to how his pay was determined. As a result of the inquiry and review of the personnel action we reply to the inquiry, it has come to the attention of this Office that two different interpretations and formulas were used in determining the pay entitlement of employees who were promoted from ungraded positions to graded positions. Enclosures (1) and (2) represent the discrepancy occasioned by the difference in interpretation.

2. Since there appears to be no provision in the FPM concerning pay setting policy in the case of promotion of employees from *per diem* to *per annum* positions, advice and clarification of Office of Civilian Manpower Management (OCMM) policy is herewith requested. Specifically what we have in the instant cases of enclosure (1) and (2) is the following:

a. In the case of Mr. Libretto of enclosure (1), the Per-

sonnel Staffing Specialist set the rate of pay by using this formula:

(1) Multiplying the hourly pay by 2080 hours (7.92 x 2080 = $16,4763.69).

(2) The pay amount fell between two rates of pay (Step 4 of GS–11 was $16,138 and Step 5 of SG–11 was $16,627), and so he was given the higher rate of pay or Step 5, $16,627, (new $17,545) since an employee promoted from ungraded to graded must receive at least equivalent salary.

b. In the case of the other six personnel of enclosure (2), the Personnel Staffing Specialist set the rate of pay by using this formula:

(1) They were given an additional step in their present grade plus the higher grade in the General Schedule if it fell between two steps. (Applying the regulation for the Federal Wage System as outlined in *FPM Supplement 532–1* Subchapter 8–3d, page 56, on Pay Administration).

3. Naturally this difference in interpretation has resulted in pay discrepancies. Accordingly this Office, at the request of the Supervisor of Shipbuilding, Conversion and Repair USN, Brrokly, New York requests your interpretation and policy guidance relative to the subject matter concerning the pay setting policy in the case of "promotion" of employees from per diem to per annum positions, and conversely from per annum to per diem.

4. Should the highest previous rate regulation used in enclosure (1) be the applicable policy, overpayments to the six employees in enclosure (2) would be involved. Should this be the case, being an administrative error it is our recommendation the claims be waived in whole for erroneous payments of pay to these civilian employees, as provided for in Section V, Chapter 220 of Navy Comptroller Manual.

5. Your advice and written clarification on the subject matter is requested.

G. J. Di Cicco

Copy to:
SUPSHIPS USN, Bklyn (Captain Mitchell)
CCPO, NSA, Bklyn

**DEPARTMENT OF THE NAVY**
**Office of Civilian Manpower Management**
**Washington, D.C. 20390**

From: Director of Civilian Manpower Management
To: Commanding Officer, Naval Support Activity, 136 Flushing Avenue, Brooklyn, New York 11251

Subj: Determination of pay fixing in processing promotions from wage to General Schedule

Ref: (a) CCPO, NAVSUPPACT Brooklyn ltr 20: ACM:mc 12210 Ser 303 of 4 Mar 1975
(b) FPM Supplement 532-1
(c) FPM Supplement 990-2, Book 531, S2-5a(1)
(d) FPM Supplement 990-2, Book 531, S2-5a(2)
(e) FPM Supplement 990-2, Book 531, S2-4a(2)

1. Reference (a) requests advice in the matter of determining the appropriate step-rate in which to place an employee upon promotion from a wage position to a General Schedule position.

2. Our review of the information provided by reference (a) indicates that Mr. Libretto's pay was set correctly when he was promoted to the GS-11 position, but that the pay-setting determinations in the other six cases were in error. The provisions of reference (b), including those providing for a one-step increase upon promotion, are applicable only to changes *to* or *within* the Federal Wage System.

3. Changes to the General Schedule are processed in accordance with the provisions of FPM Supplement 990-2, Book 531. The promotion rule of reference (c) is not applicable to promotions from wage positions to General Schedule positions, however, as it is specifically limited by reference (d) to changes from one General Schedule position to another General Schedule position.

4. Since the promotion rule of reference (c) is not applicable to promotions from wage positions to General Schedule positions, the pay-setting determination in such cases must be made in accordance with the highest previous rate rule of reference (e). Under the highest previous rate rule, Mr. Libretto's pay has been set at the maximum step-rate per-

missible, and the step-rates of the other six employees must be adjusted downward.

5. With regard to the overpayments involved, requests for waivers of erroneous payments are matters under the jurisdiction of the Comptroller of the Navy. The employees involved should be advised that they may submit such requests in accordance with the Navy Comptroller Manual.

E. B. RILEY
*by Direction*

Copy to:
ROCMM Philadelphia

Best Copy Available

180

Date 17 JAN. 1975

No reply to this letter has been received. Please expedite reply.

Has any action been taken?

18 NOV. 1974

FROM : N. LIBRETTO

TO : CONSOLIDATED CIVILIAN PERSONNEL OFFICE

VIA : CODES 180, 100, 1/17/75

SUBJ. : RATE OF PAY APPEAL

ENCL. : (1) N. LIBRETTO'S FORM 50 OF 11 OCT 1974
(2) F.P.M. CHAPTER 531 SUBCHAPTER 2 - DETERMINING RATE OF BASIC PAY

1- DESCRIBED IN ENCL (1), PERSONNEL ACTION WAS TAKEN FOR MY PROMOTION FROM SHIP SURVEYOR, WAGE BOARD TO ENGINEERING TECHICIAN UNDER THE GENERAL SCHEDULE RATES (G.S.)

2- MY PAY RATE AS A SHIP SURVEYOR WAS #7.92 PER HOUR. MY NEW PAY RATE IN THE G.S. RATES IS #7.99 PER HOUR. THIS RATE WAS ARRIVED AT BY SIMPLY MOVING FROM WAGE BOARD RATES TO THE NEAREST RATE IN THE G.S. RATES. (THIS IS EQUAL TO A GRADE 11 - 5TH STEP)

2- ENCL (2) "SECTION 2-2 DEFINITIONS", PARAGRAPH (a) GIVES THE MEANING OF "HIGHEST PREVIOUS RATE" AS THE

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BASIC PAY PREVIOUSLY PAID AN EMPLOYEE REGARDLESS OF WHETHER OR NOT THE POSITION WAS SUBJECT TO THE PAY SCHEDULES OF THE GENERAL SCHEDULE. (GS)
PARAGRAPH (6) - DEFINES THE WORD "PROMOTION" AND (L) DEFINES RATE OF PAY AS "UNDER AUTHORITY", WHICH WOULD COVER WAGE BOARD RATES.

4- SECTION 2-4 "POSITION OR APPOINTMENT CHANGES", OF ENCL (2) SETS FORTH THE BASIC POLICIES FOR THE COMPUTA OF THE EMPLOYEE'S HIGHEST PREVIOUS RATE IN PARAGRAPH 4. AS STATED "THIS INVOLVES DETERMINING THE EQUIVALENT GS RATE IN TERMS OF THE GS PAY SCHEDULE AT THE TIME OF THE PREVIOUS RATE AND CONVERTING IT TO THE CURRENT RATE FOR THE SAME RATE AND GRADE TO ARRIVE AT THE EMPLOYEE'S HIGHEST PREVIOUS RATE".

5- SECTION 2-5 "PROMOTIONS", OF ENCL (2) CLEARLY STATES THAT AN EMPLOYEE WHO IS "PROMOTED" WILL HAVE HIS RATE SET IN THE GRADE AT AN AMOUNT EQUAL TO TWO WITHIN-GRADE INCREASES OF THE GRADE FROM WHICH HE WAS PROMOTED.

6- BASED ON THE FACTS AS OUTLINED I SUBMIT THE FOLLOWING

Best Copy Available

(a) Calculations Based on Previous Pay Rate :-

| | | |
|---|---|---|
| Ship Surveyor - 5TH Step | $ | 8.29 Per Hr. |
| Ship Surveyor - 4TH Step | $ | 7.92 Per Hr. |
| - Differential | | .37 Per Hr. |
| Two Step Increase | | .74 Per Hr. |
| New Pay Rate | | 8.66 Per Hr. |

(b) Calculations Based on Moving To GS and Then Increase :-

| | | |
|---|---|---|
| Ship Surveyor - 4TH Step | $ | 7.92 Per Hr. |
| Nearest Pay (GS 11-5TH Step) | $ | 7.99 Per Hr. |
| Two Step Increase (GS 11-7TH Step) | $ | 8.46 Per Hr. |

7. - Therefore it is my opinion that my New Pay Rate was improperly arrived at and action should be immediately undertaken to correct the rate of pay.

W. J. Le Blanc

UNITED STATES GOVERNMENT
MEMORANDUM

20A:ACM:mc
6 March 1975

To: Mr. Nicholas J. Libretto, Eng. Technician (Drafting) GS–802–11
Supv. of Shipbuilding, Conversion and Repair, Brooklyn, N.Y.

From: Head, Operations Division, Consolidated Civilian Personnel Office, Naval Support Activity, Brooklyn, N.Y. 11251

Subject: Rate of Pay Appeal

Ref: (a) Memo of 18 Nov 1974 of addressee to CCPO, Via Codes 180, 205, 240 with two enclosures, and follow-up letter of 21 Feb 1975 with tracer letter of 17 Jan 1975 attached

1. Reference (a) has been reviewed and your pay rate has been found to be correct as interpreted. By way of explanation, the following is provided:

a. In paragraph 5 of your memo you cite that "Section 2–5 'Promotions of FPM Chapter 531 Subchapter 2—Determining Rate of Basic Pay' clearly states than an employee who is "promoted" will have his rate set in the grade at an amount equal to two within-grade increases of the grade from which he was promoted.

The reference you cite is strictly for promotions within the General Schedule rates. Your promotion was from an ungraded rating to graded rate or position, involving two different pay plans, and so 2–5 cited in your memo is not applicable. Therefore your calculations in paragraph 6 are not applicable.

b. For your information, the formula to use in computing the highest previous rate from "wageboard" to "general schedule" is to multiply the hourly pay by 2080 hours, and if the highest rate previously received falls between two rates of the new grade, the Agency may consider the higher of the two rates as the highest previous rate (FPM

Supp. 532-1, Subchapter 8, S-8-3e-5). This was the formula used in computing your pay:

1) Current rate of pay multiplied by 2080 hours (7.92 x 2080= $16,473.60).

2) It falls between 2 rates of pay, you get the higher. This was your case (Step 4, GS-11 was $16,138; Step 5, GS-11 was $16,627) and so we gave you Step 5 of GS-11 ($16,627), presently $17,545.

2. It is my understanding that as a result of your promotion action, and previous verbal inquiry, it was brought to our attention that in other instances a Personnel Staffing Specialist from this office did not apply the above formula but rather fixed the pay by giving an additional step in the present grade plus the higher grade in the General Schedule if it fell between two steps. Naturally this difference in interpretation has resulted in discrepancies. This office is in the process of seeking a formal written decision and determination from the Office of Civilian Manpower Management, Pay Compensation Policies Branch, Washington, D.C. on these matters.

In the interim period SUPSHIPS Brooklyn has held in abeyance the taking of any action to change the pay rates assigned, with possible over payment refunds due in the other cases.

3. Upon recepit of reply from OCMM corrective SF 50 pay actions as may be necessary will be taken.

4. It is hoped this explanation will inform you as to how your pay entitlement was determined, and request your bearing with us until we receive clarification and advice from OCMM.

ARTHUR MANNEBACH

Copy to:
SUPSHIPS Bklyn
AFGE 2868

**NAVAL SUPPORT ACTIVITY**
**136 Flushing Avenue**
**Brooklyn, New York 11251**

20A: ACM:lch
LL/
14 April 1975

From: Civilian Personnel Officer, Naval Support Activity
To: *(See Page 2)
Subj: Corrected Standard Form 50's: advance info relative to
Ref: (a) OCMM ltr 5312:emc dated 19 Mar 1975
(b) FPM 531

1. Reference (a) directs this activity to correct the error made in determining the pay rate to which you were entitled at the time you were promoted from a Wage Board position you held of Ship Surveyor to a graded position.

2. The purpose of this letter is merely to inform you in advance that this Office is in the process of preparing personnel actions correcting the errors, which actions will result in a salary/step rate downward adjustment. You will be issued on 28 April 1975 *Standard Form 50(s)* and Standard Form 1126(s) which will reflect the reconstructed corrections, which actions will be retroactive to the date shown in item 13 of the SF-50(s) and item 9 of the SF-1126(s).

3. This office plans on requesting the Payroll Office at Norfolk, Virginia to hold in abeyance the deducting or collecting of the "retroactive overages" that have been paid you, since this office will be requesting the Navy Accounting and Finance Center to approve a waiver in whole of claims for the erroneous payments made you due to administrative error. However, this office wishes to point out that the determination as to whether or not to wait for "approval of a waiver" from the Navy Accounting and Finance Center before collecting the retroactive pay overages is not within our province but that of the Payroll Office at Norfolk.

4. The corrective actions must be taken because a governing regulation, reference (b), on pay setting policy was misinterpreted and misapplied in fixing your pay at the time of the promotion referred to in paragraph 1 above. This action is not a grievable or appealable issue since pay setting is based on statutes. Naturally however, you or your representatives can go to the Comptroller General or the U.S. Civil Service Commission for a decision based on our present application of the pay setting regulations reviewed and directed by reference (a).

5. Any action you may chose to take will not affect our implementing the subject matter at this time.

G. J. DiCicco

Copy to:
SUPSHIPS
AFGE, Local #2868
CCPO (OPF)

To: Mr. Joseph J. Clark, Quality Assurance Specialist (Process) GS-1910-11
Mr. Harold J. Copp, Supv Production Controller (Shipbldg), GS-1152-11
Mr. Frank D'Aversa, Supv Production Controller (Shipbldg), GS-1152-12
Mr. Nicholas J. Proto, Supv Contract Specialist, GS-1102-12
Mr. Carlo Scialpi, Ship Surveyor (Shipfitter), ND-6204-8
Mr. Albert Wolfus, Contract Negotiator, GS-1102-12

**NAVAL SUPPORT ACTIVITY**
**130 Flushing Avenue**
**Brooklyn, New York 11251**

20A:AM:mc
12210
28 April 1975

From: Commanding Officer, Naval Support Activity, Brooklyn, New York
To: Commanding Officer (Code 52.23)
Naval Supply Center, Norfolk, Virginia 23512

Subj: Corrective Personnel Actions Involving Pay Overages and Retroactive Pay Adjustments Downward

Ref: (a) CCPO, NAVSUPPACT Brooklyn ltr 20:AMC:mc 12210, ser 303 of 4 Mar 1975 with enclosures (1) and (2)
(b) OCMM ltr 5312:emc of 19 Mar 1975
(c) Navy Comptroller Manual (NAVSO-P1000), Vol 3, Chapter 3, Section V

Encl: (1) SF 50 and SF 1126 in connection with J. CLARK
(2) SF 50 and SF 1126 in connection with H. COPP
(3) SF 50's and SF 1126 in connection with F. D'AVERSA
(4) SF 50's and SF 1126's in connection with N. PROTO
(5) SF 50's and SF 1126 in connection with C. SCIALPI
(6) SF 50's and SF 1126 in connection with A. WOLFUS
(7) Copy of Reference (a)
(8) Copy of Reference (b)

1. Subsequent to references (a) and (b), enclosures (1) through (6) have been prepared and are forwarded for payroll action. It is requested that the payroll office of your Activity hold in abeyance collecting retroactive overages from employees concerned resulting from corrective ac-

tions, enclosures (1) through (6). This Activity on behalf of, and at the request of the Supervisor of Shipbuilding, Conversion and Repair, USN, Brooklyn is requesting of the Navy Accounting and Finance Center (NAFC) that they grant a waiver of claims for erroneous payments of pay to these civilian employees due to administrative error, as provided for in reference (c). It is further requested that your payroll office advise us of the overages due as of the date you effect the corrective action. In addition, it is also requested that your payroll office provide us with the citation to the voucher or vouchers upon which the enrroneous payment was made, as required by item 6 of paragraph 3b of reference (c).

2. It is requested that withholdings of retroactive averages be deferred until a determination is received from NAFC in response to our request that retroactive overages be waived. This request for waiver is predicated on our belief that the employees concerned should not be penalized for an inadvertent administrative error brought about by difference in interpretation as explained in references (a) and (b).

3. Copies of references (a) and (b) are also forwarded as enclosures (7) and (8).

---

G. J. DiCicco
*By direction*

Copy to:
SUPSHIPS, USN, Brooklyn
AFGE, Local #2868
CCPO(OPF)(6)

4 June 1975

From: N. LiBretto, J. Clark, N. Proto, C. Scialpi, F. D'Aversa, A. Wolfus

To: Supervisor of Shipbuilding, Conversion and Repair, Brooklyn—Code 100

Subj: Group Grievance Against Management Action Resulting In Reduction To A Lower Step Within Grade Of Promoted Employees

Ref: (a) Notification of Reduction to a Lower Step Within Grade Via SF 50's
(b) OCMM ltr Serial 5312 dtd 19 Mar 75
(c) FPM Supplement 532–1 Sub-Chapter 8–3d pg. 56
(d) FPM Supplement 990–2 Book 531 S2–4a(2)
(e) CCPO ltr dtd 4 Mar 75
(f) FPM Supplement 990–2 Book 531 S2–7 para d.

1. We grieve management's action (be ref. (a)) to reduce promoted employees to a lower step within grade resulting in a corresponding loss of pay.

2. Management reasons (via ref. (b)) for the action are erroneous and incorrect. The provisions of reference (c) do indeed apply and the rate rule of reference (d) is *not* applicable.

3. The formula used by CCPO (para 2b of ref (e)) in computing the pay step of the promoted employees initially was the correct method as evidenced by their original action.

4. The formula to be used in the promotion of a Per Diem employee to a Gen'l Scheduler's position (as per ref. (c)) is a 3 step process.

a. 1st Step is to determine the per diem employee's adjusted rate of pay. Re: *annual* pay.

b. 2nd Step is to place him in equivalent grade in the Gen'l Wage System.

c. 3rd Step is to process 2 step increase via promotion formula under GS schedule.

5. The promotions involved required two subsequent actions at the same time—change from one pay system to another, then a promotion under the new pay system to another, then a promotion under the new pay system and regulations state, "The agency shall process the changes in the order which gives the employee the maximum benefit".

6. Management's action (ref (a)) was improper and in direct violation of regulations in ref. (f).

7. We request a hearing with the Supervisor at his convenience. We also request advance notice be given in order to arrange for a AFGE representative to be present at the meeting.

_____

N. LIBRETTO

_____

J. CLARK

_____

N. PROTO

_____

C. SCIALPI

_____

F. D'AVERSA

_____

A. WOLFUS

Copy to:
N. LiBretto
C. Scialpi
J. Clark
N. Proto
F. D'Aversa
A. Wolfus
Code 180
FILE
2ND DIST. OFFICE

**DEPARTMENT OF THE NAVY**
**Supervisor of Shipbuilding**
**Conversion and Repair, USN**
**Federal Office Building**
**3rd Avenue & 29th Street**
**Brooklyn, New York 11232**

100:LGM:mw
12770
Ser 1231
10 June 1975

From: Supervisor of Shipbuilding, Conversion and Repair, USN
Brooklyn, N.Y.

To: Mr. N. LIBRETTO
Mr. J. CLARK
Mr. N. PROTO
Mr. C. SCIALPI
Mr. F. D'AVERSA
Mr. A. WOLFUS

Subj: Group Grievance

Ref: (a) Your ltr of 4 June 1975

1. Your grievance submitted in reference (a) is rejected, in as much as the action I took was directed by higher authority. You are advised herewith that you may appeal this rejection within 15 days of your receipt of this letter of decision. You should address your appeal to:

Office of the Secretary of the Navy
The Employee Appeal Review Board
Washington, D.C.

Via: Supervisor of Shipbuilding, Conversion and Repair, USN Brooklyn, N.Y.

2. Should you desire to pursue this matter further, you should select one of your group to serve as the grievant whose case will be the representative one. Whatever deci-

sion is reached for the designated grievant will apply equally to all other employees in the group.

/s/ _____
L. G. MITCHELL

Copy to:
CCPO
180
Mr. J. Ventre, Pres. Local 2868, AFGE

11 June 1975

From: Albert Wolfus
To: Office of the Secretary of the Navy
The Employee Appeal Review Board
Washington, D.C.

Via: Supervisor of Shipbuilding, Conversion and Repair, USN Brooklyn, N.Y.

Subj: Group Grievance Rejection; Appeal of

Ref: (a) Supervisor of Shipbuilding, Conversion & Repair, USN Brooklyn, N.Y. letter Ser 1231 dated 10 June 1975
(b) Group Grievance letter dated 4 June 1975

Encl: (1) Civilian Personnel Office letter 20A:ACM dated 14 April 1975
(2) Consolidated Civilian Personnel Officer letter 20:ACM, Ser 303 dated 4 March 1975

1. By reference (a) the Supervisor has rejected reference (b) by reason of direction of higher authority (OCMM).

2. I find the rejection and the reason (See Encl. (1)) unacceptable because it doesn't answer reference (b) and hereby appeal this decision.

3. I am forwarding references (a) and (b) and Enclosures (1) and (2) for your perusal and request a hearing at the earliest possible date at which time I would like to be represented by my Union Representative, Mr. Ed Karalis, AFGE National Rep. I also request that Mr. Karalis be given copies of all correspondence.

/s/ _____
ALBERT WOLFUS
*American Federation of Government Employees (AFL-CIO)*
*300 Main Street*
*Orange, N.J. 07050*
*Att: Mr. Ed Karalis*

C/C:
CCPO
AFGE Local 2868
AFGE District 2 Rep.
N. Libretto
J. Clark
H. Proto
C. Scialpi
F. D'Aversa

100:LGM:mw
12770
Ser 1233
Jun 17, 1975

FIRST ENDORSEMENT on ltr dated 11 June 1975 of Albert Wolfus on Group Grievance Appeal

From: Supervisor of Shipbuilding, Conversion and Repair, USN
Brooklyn, N.Y.

To: Office of the Secretary of the Navy
The Employee Appeal Review Board
Washington, D.C.

Subj: Group Grievance Rejection; appeal of

Encl: (3) Copy of OCMM ltr 5312:emc of 19 Mar 1975

1. The basic correspondence is forwarded for appropriate action.

2. This Activity rejected the appeal as non-grievable since it involved a matter of interpretation of Federal Personnel Regulations made by the central personnel headquarters for Navy (OCMM). Their concurrent directive to implement the determination is set forth in enclosure (3), received in reply to this Activity's request as noted in enclosure (2) of this appeal.

3. Several meetings have been held with the grievant and local AFGE representatives on this matter. Inasmuch as the actions taken by this Activity have been as a result of direction from higher authority no useful purpose would be served by additional meetings at a local level.

/s/ _____
L. G. MITCHELL

Copy to:
CCPO
AFGE Local 2868 (Mr. J. Ventre)
AFGE District 2 Rep (Mr. E. Karalis)
SUPSHIP Brooklyn (Code 180)

**DEPARTMENT OF THE NAVY**
**Office of the Secretary**
**Washington, D.C. 20350**

18 JUL 1975

From: Secretary of the Navy
To: Mr. N. Libretto
Mr. J. Clark
Mr. N. Proto
Mr. C. Scialpi
Mr. F. D'Averso
Mr. A. Wolfus
Via: Supervisor of Shipbuilding, Conversion and Repair, USN
Brooklyn, New York 11232

Subj: Your Protest of the rejection of your grievance

1. The complete case record of your protest of the rejection of your grievance has been thoroughly reviewed and carefully considered.

2. It has been determined that your dissatisfaction is not appropriate for processing under the Administrative Grievance Procedure as it involves matters of pay outside the jurisdiction of the Supervisor of Shipbuilding, Conversion and Repair. Accordingly, the rejection of your grievance was proper. Any further review of the pay matters should be forwarded to one of the agencies set forth in the Civilian Personnel Officer, Naval Support Activity letter of 14 April 1975.

3. This decision exhausts your request to have this matter considered under the Administrative Grievance Procedure.

/s/ _____
FRANK A. ROBEY, JR.
*By direction*

Copy to:
Mr. J. Ventre
Mr. E. Karalis, Rep.
CPO, Naval Support Activity

DIGEST—NO CIRCULATION

UNITED STATES GENERAL ACCOUNTING OFFICE
Washington, D.C. 20548

DEC 30 1975

In Reply refer to
B-172706.05 (KM)

Mr. Jack E. Hicks
1973d Communications Squadron
(AFCS) /XRP
Maxwell Air Force Base, Alabama 36112

Dear Mr. Hicks:

This is in reply to your letter of October 3, 1975, in which you request information as to whether your basic rate of pay was correctly established incident to your *promotion from a Federal Wage System (FWS) position*, WS-2502, grade 13, step 5, *to a General Schedule (GS) position*, grade GS-11, step 7. Specifically, you explain that, upon your promotion, you received less than a one step increase in pay and inquire as to whether your promotion entitled you to the equivalent of *a two-step*, within grade increase. Both the Civil Service Commission (Atlanta Region) and the Air Force have advised you that you were not entitled to such increase.

Section 5334(b), title 5, United States Code (1970), provides that an employee who is promoted to a position in a higher grade is entitled to basic pay at the lowest rate of the higher grade which exceeds his existing rate of pay by not less than two step increases of the grade from which he was promoted. However, *the requirements of section 5334(b) apply only to transfers and promotions from one GS position to another.* See Federal Personnel Manual Supplement 990-2, book 531, subchapter S2-5a(2)(a)(ii) (Revised July 1969). Your Standard From 50 (Notification of Personnel Action) indicates that you were *promoted from an FWS position to a position subject to the General Schedule.* Inasmuch as you were not promoted from one GS position to another, the provisions of section 5334(b) do not apply in your case.

Moreover, the Civil Service Commission, under the authority of 5 U.S.C. §5334(a) (1970), has prescribed regulations which govern *promotions from the FWS to a position subject to the General Schedule.* These regulations provide that when such an employee is promoted, the employing agency *may pay him at any rate of his grade which does not exceed his highest previous rate.* However, if the highest previous rate falls between two rates of the new applicable grade, the employing agency may apply the higher rate. Federal Personnel Manual Supplement 990–2, book 531, subchapter S2–4a(2) (Revised July 1969).

The record indicates that the Air Force, in accordance with the foregoing, determined that your highest previous rate fell between two rates of the applicable grade and applied the higher of the two. Therefore, it appears that the pay setting action incident to your promotion from FWS to GS was proper and you received the maximum allowable entitlement. Regarding your question as to whether the applicable regulation is inequitable and discriminatory against the FWS employee being promoted to a GS position, we do not believe that it is basically inequitable. In this connection the Civil Service Commission in its letter to you dated September 11, 1975, pointed out that *the regulation also applies to a GS employee going from a GS position to a FWS position.*

We trust the above will be of assistance to you.

DANIEL W. MARTIN
*Deputy Assistant*
*General Counsel*

DIGEST–NO CIRCULATION

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

APR 19 1972

Mr. John F. Griner, National President
American Federation of Government Employees
400 First Street, N.W.
Washington, D.C. 20001

Dear Mr. Griner:

Further reference is made to your letter of November 18, 1971, reference 4/L–3109, and letter of January 18, 1972, reference 4/L–3109, from Mr. George R. Boss, Director, Labor Management Department, concerning the proper salary rate of certain employees of the Joliet Army Ammunition Plant, Department of the Army, who were *promoted from wage board positions to Classification Act (General Schedule) positions.*

In view of the nature of your inquiry, we requested the Department of the Army under dates of December 13, 1971, and February 10, 1972, to furnish us a report in the matter. A copy of the reply of the Department dated March 23, 1972, enclosed, indicates that the personnel office at Joliet Ammunition Plant is now applying *the highest previous rate rule* in determining the rate of compensation of employees when promoted from wage board positions to General Schedule positions. Also, employees' records are being reviewed and corrective action is being taken retroactively to give those employees who had previously been promoted the benefit of their highest previous rate.

Sincerely yours,

CARL P. FRIEND
*Assistant General Counsel*

*Enclosure*
*lmc*

THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-191352 DATE: September 13, 1978

MATTER OF: Paul J. Thibeault—Promotion from General Schedule Position to Wage Schedule Position

DIGEST: Naval Shipyard employee received two successive promotions which resulted in his pay being adjusted with each promotion. Employee claims his pay rate should have been set at his highest previous rate in accordance with Shipyard "repromotion" regulation. That regulation was not applicable since employee was not demoted and later promoted to former position as contemplated by "repromotion" regulation. Employee's rate was properly adjusted under Shipyard "promotion" regulation when he was promoted from General Schedule to Wage Schedule.

This action concerns the claim filed by Mr. Paul J. Thibeault, an employee of the Portsmouth Naval Shipyard in Portsmouth, New Hampshire, for a pay adjustment in connection with his promotion from Production Controller, a General Schedule position, to Ship Scheduler, a prevailing rate (Wage Schedule) position. At issue is whether or not the Shipyard properly applied the provision of its regulation for setting pay rates upon promotion.

Mr. Thibeault was promoted from Ship Scheduler (Electrician) WD-08, step 5, $6.49 per hour, to Production Controller GS-09, step 6, $6.51 per hour, effective September 30, 1973. Subsequently, effective January 18, 1976, he was promoted from Production Controller GS-09, step 7, $7.78 per hour, to Ship Scheduler (Electrician) WD-08, step 3, $8.25 per hour. As a result of a reclassification action on January 18, 1976, the duties of Ship Scheduler were redefined and the need for Production Controllers was eliminated in the Ship Scheduling area.

Mr. Thibeault states that his progression was via Merit Promotion. He believes that upon promotion to Ship

Scheduler in January 1976, his pay rate should have been set at WD–08, step 5, instead of WD–08, step 3. He claims that the activity disregarded Portsmouth Naval Shipyard Instruction (PNSI) 12552.4A in determining his pay level. Mr. Thibeault's pay rate was set under the provision of the regulation pertaining to setting rates upon *promotions* and Mr. Thibeault believes the rate should have been set under the provision dealing with *repromotions*.

The Shipyard issued PNSI 12552.4a on March 2, 1972, to implement Federal Personnel Manual (FPM) Supplements 990–2 and 532–1 and Civilian Manpower Management Instructions (CMMI) 531.S2 and 532.8. It sets forth the Shipyard's policy for setting pay rates when employees are appointed, reemployed, or changed from one position to another. Subparagraph 1b(2) of Enclosure (1) of PNSI 12552.4A, which is in accord with FPM Supplement 532–1, S8–3d (June 30, 1975), reads in pertinent part as to "promotions:"

> "When an employee is promoted to a Wage Schedule position, his pay will be fixed at the lowest step of the new position that will result in an increase at least equal to one step increase in the position from which being promoted. When such an increase is in excess of the maximum scheduled step of the position to which promoted, he will be given the maximum scheduled step or his present salary rate, whichever is higher * * *."

The "repromotions" provisions of PNSI 12552.4A subparagraph 1b(3) of Enclosure (1) provides in pertinent part:

> "When an employee is repromoted to a position which he formerly held, or to another position in the same line of work or progression, his pay step will be fixed at a step above the minimum prescribed above based on his 'highest previous rate' * * * The 'highest previous rate' will not be used when it was earned in a position from which the employee was demoted or separated at his own request or for personal cause."

On the date of Mr. Thibeault's promotion to Ship Scheduler in January 1976, his pay level was GS–09, step 7,

$7.78 per hour. He was thus entitled, under the "promotions" provision quoted above, to an increase to at least $7.99 per hour, the rate for GS–09, step 8. Accordingly, Mr. Thibeault's pay level was set at WD–08, step 3, $8.25 per hour.

The term "repromotion" is not defined in PNSI 12552.4. However, that term is generally used when an employee is demoted and later promoted to his former grade. See 43 Comp. Gen. 507 (1964). This meaning is apparently the one used in the repromotion regulation at issue since its last sentence makes the "highest previous rate" inapplicable when the employee was demoted or separated at his own request. In this connection, the record shows that Mr. Thibeault's hourly rate was increased from $6.49 to $6.51, when he was promoted from WD–08 to GS–09 in 1973. Therefore, it is clear that he was not demoted and later promoted within the contemplation of subparagraph 1b(3) relating to repromotions. Accordingly, his pay rate was set properly under the regulation covering promotions from General Schedule positions to Wage Grade positions.

In view of the foregoing, Mr. Thibeault is not entitled to a pay adjustment from WD–08, step 3, to WD–08, step 5, effective January 18, 1976.

/s/ _____

MILTON J. AOCOLAN
*Acting Comptroller General*
*of the United States*

# Supreme Court of the United States

No. 80-1121

UNITED STATES, PETITIONER,

*v.*

JOSEPH J. CLARK, ET AL.

ORDER ALLOWING CERTIORARI. File March 23, 1981.

The petition herein for a writ of certiorari to the United States Court of Claims is granted.